

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5276 of 2019

- Smt. Keja Bai Sahu W/o Shri Bharosha Sahu, Aged About 58 Years, R/o Village Sarkhi, Police Station Abhanpur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police of Police Station Abhanpur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 16-05-2019 in connection with Crime No.256/19 registered at P.S. - Abhanpur, District Raipur, Chhattisgarh for the offence under Section 306 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in jail since 16-05-2019. This applicant has not given any abetment for commission of suicide to the deceased, this reflects from the dying declaration statement of the deceased. Therefore, it is prayed that she may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. On the date of incident deceased Tameshwari Sahu had some quarrel with this applicant and thereafter she went inside her room and after pouring kerosene oil over her body set herself ablaze. When she was admitted in

hospital the dying declaration was recorded on 13-04-2019 itself by the Executive Magistrate. The deceased died on 17-04-2019. Thereafter, on the basis of morgue enquiry, offence has been registered against this applicant.

6. On perusal of the dying declaration given by the deceased, it is found that she has held nobody responsible for the incident, also taking into consideration all the facts, circumstances and evidence of this case, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge