

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5633 of 2019

- Smt. Laxmi Sahu W/o Bhuvaneshwar Sahu Aged About 24 Years R/o Village Sarva, P.S.- Kasdol, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O.- P.S. Kasdola, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

MCRC No. 7445 of 2019

1. Dukalu Sahu, Aged About 50 Years, S/o. Tijram Sahu
2. Bhuvneshwar Sahu @ Bhumesh, Aged about 27 yers, S/o. Dukalu Sahu
3. Smt. Devmati Sahu, Aged about 45 years, W/o. Dukalu Sahu,

All are R/o Village Sarva, P.S.- Kasdol, District- Baloda Bazar- Bhatapara, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through S.H.O.- P.S. Kasdola, District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Shri Hemant Gupta, Advocate
For Respondent/State	: Shri B. L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

15/11/2019

As both these M.Cr.C's arise out of the same crime number they are being disposed of by this common order.

The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.4951/2019 registered at police station Kasdola, Baloda Bazar, Bhatapara (CG) for the offence punishable under Sections 304-B and 34 IPC.

As per case of the prosecution, mother of the deceased has lodged a report alleging that her daughter who was married to Rajnath Sahu, on 13.04.2019 and thereafter the in-laws and husband of the deceased were harassing the deceased for demand of motorcycle. It is further alleged that due to the said harassment, she committed suicide by setting herself ablaze after pouring kerosene oil.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He submits that there is no allegation against the applicants and the only allegation is against the applicant No.2. It is further submitted that Devmati Sahu, applicant No.3 in M.Cr.C. No. 7445/2019 has been shifted to Dr. Bhim Rao Ambedkar Hospital from Central Jail Raipur and therefore she may be released on bail. It is submitted that applicants are in jail since 01.08.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. However, counsel for the applicant submits that he may be permitted to withdraw the application

on behalf of applicant No.2 Bhuvneshwar Sahu in M.Cr.C. No. 7445/2019.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

As far as bail application in relation to applicant No.2 Bhuvneshwar Sahu is concerned, the same is dismissed as withdrawn.

Sd/-

(Rajani Dubey)
Judge