

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9497 of 2018**

1. Santram Sahu S/o Shri Dhanaji Ram Sahu Aged About 54 Years R/o Village Seldeep, Thana Kurud, Tahsil Kurud, District Dhamtari Chhattisgarh
2. Surja Bai W/o Shri Santram Sahu Aged About 45 Years R/o Village Seldeep, Thana Kurud, Tehsil Kurud, District Dhamtari Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Kurud, District Dhamtari Chhattisgarh

---- Respondent

For Applicants	:	Mr. Mahesh Kumar Mishra, Advocate
For Respondent/State	:	Mr. Alok Nigam, Government Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****15/01/2019**

1. The applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 352/2018 registered at Police Station Kurud, District Dhamtari (C.G.) for the offence punishable under Section 304 (B) & 34 of the IPC.
2. As per prosecution story, marriage of deceased Malwantin Bai was solemnized with co-accused Kedharnath Sahu on 13/03/2018. On 26/07/2018, the deceased committed suicide by

consuming poison. Applicant No. 1 Santram Sahu is the father-in-law and Applicant No. 2 Surja Bai is the mother-in-law of the deceased. It is alleged that the applicants used to harass the deceased on account of demand of dowry and domestic work, therefore, the deceased committed suicide. Merg was lodged by Applicant No. 1 Santram father-in-law of the deceased. After merg inquiry, on the basis of statement of father and other relatives of the deceased, offence has been registered. The applicants have been taken into custody on 15/08/2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated. There is no specific allegation against the applicants regarding harassment or demand of dowry. He further submits that the co-accused namely Smt. Tanuja Sahu has already granted benefit of bail by this Court vide order dated 12.11.2018 passed in MCRC No. 7867/2018, the applicants are in jail since 15/08/2018, charge-sheet has already been filed and trial will take some time, therefore, the applicants may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that no specific allegation has been made against the applicants regarding demand of dowry or harassment.

The co-accused namely Smt. Tanuja Sahu has already granted benefit of bail by this Court vide order dated 12.11.2018 passed in MCRC No. 7867/2018, the applicants are in jail since 15/08/2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge