

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1155 of 2020**

- Smt. Krishna Bai Sahu Wd/o Tikam Sahu Aged About 48 Years
R/o Village Kamroud, Police Station Magarlod, District
Dhamtari, Chhattisgarh, District : Dhamtari, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Of Police Station Magarlod, District Dhamtari, Chhattisgarh,
District : Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Adv.
For Respondent	:	Shri K.K. Singh, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/06/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.16/2020, registered at Police Station – Magarlod, District Dhamtari (C.G.) for the offence punishable under Section 304-B r/w section 34 IPC.
2. The prosecution story, in brief, is that the marriage of deceased Uma Bharti Sahu was solemnized with Omprakash, son of applicant prior to six months of the incident. The present applicant, who is the mother-in-law of deceased, used to torture the deceased for demand of dowry as a result of which she committed suicide by consuming poisonous substance. Based on this, offence has been registered. The

present applicant has been taken into custody on 19.01.2020.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that even if the entire prosecution case is taken as it is, the main allegation is against the son of the applicant. He also submits that the applicant is lady aged about 48 years, she is in custody since 19.01.2020 and there is no likelihood of her case being decided in near future. Therefore, she may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is lady aged 48 years, general allegations have been raised, she is in custody since 19.01.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), she need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if she has not furnished the bail bonds earlier, then she will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge