

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3623 of 2020**

Smt. Durgeshwari @ Rani, W/o Krishna Kumar, Aged about 26 years,
R/o Village- Afrid, PS Saragaon, Tahsil- Champa, District- Janjgir-
Champa (C.G.) **---- Applicant**

Versus

- State of Chhattisgarh, Through – PS Janjgir, District Janjgir Champa
(C.G.) **---- Respondent**

For Applicant : Mr. Ravindra Sharma, Advocate.
For Respondent/State : Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.06.2020**

- The accused/applicant has moved her first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 239/2020 registered at Police Station – Janjgir, District- Janjgir-Champa (C.G.) for the offence punishable under Section 304-B/34 of IPC.
- According to the prosecution story, as per allegation made by the prosecution that on 20.05.2020 the father of the deceased lodged complaint stating that the family members of the applicant informed that his daughter Shardhha and her husband Brijendra both committed suicide by train accident. The applicant and other accused admitted their brother/son Brijendra for treatment at Government Hospital, CIMS and after 08 days the doctor declared dead, it is also alleged in complaint that the mother-in-law and the present applicant/sister-in-law have committed cruelty towards the demand of dowry, therefore, they have committed suicide. The complainant has also made allegation that the applicant and other family members have committed cruelty, physical and mental harassment with his daughter Shardhha for demand of dowry. The Police Station- Janjgir has registered Crime No. 239/2020 and arrested the applicant on 20.05.2020 for the alleged offences punishable under Section 304-B/34 of IPC.
- Learned counsel for the applicant submits that the applicant is

innocent of the alleged offences and she has been falsely implicated. The deceased was sister-in-law of the present applicant and the applicant has been implicated in the criminal case along with the other family members in a false case with a vindictive motive. He next contended that the applicant is in jail since 20.05.2020, therefore, she may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.
- 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 he will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge