

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7328 of 2020

- Smt. Geeta Bai W/o Shri Manharan Sahish, Aged About 50 years (Now 51 Years), Caste Sahish, R/o Village Rahod, Police Station Shivarinarayan, Civil and Revenue District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station Shivarinarayan, Civil and Revenue District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Paras Mani Shriwas, Advocate.

For Non-applicant/State – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-12-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is fourth bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 07-01-2019 in connection with Crime No.08/2019 registered at Police Station - Shivarinarayan, District Janjgir-Champa, Chhattisgarh for the offence under Section 304(B), 34 of the IPC.
2. It is submitted by learned counsel for the applicant that this is fourth application filed by the applicant for grant of regular bail before this Court. The earlier three applications filed by the applicant under Section 439 of the Cr.P.C. before this Court have been dismissed as withdrawn. It is submitted that the applicant has been falsely implicated in this case. She is a woman who is in custody since 07-01-2019. The trial has not made progress and pandemic situation has also brought the trial to a halt. The main witness of the case, i.e., father of the deceased has been examined and he has not named the applicant as one of the persons who has committed this offence. Hence, under these circumstances, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that according to the material present in the charge sheet no case

is made out for grant of bail to the applicant. The trial is also nearing completion. Therefore, the application may be rejected.

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

5. As per the prosecution case, it is alleged that deceased Sanju Sahis was married to co-accused Manoj Kumar in the year 2018. She committed suicide within seven years of her marriage. The witnesses made statement that the applicant and others used to make demand of dowry soon before the deceased committed suicide. Hence, this case.

6. Considered on the submissions and facts present in the case. The trial in this case is not making progress as it is expected in the matter of under trial prisoners. The applicant is a woman. There is no need to make any comment on the statement of the witnesses which has been recorded so far. Therefore, for the present, I am of this view that this applicant should be enlarged on bail.

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