

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7613 of 2020**

1. Pradeep Mishra S/o Late Ram Bhagwan Mishra Aged About 46 Years (Vanpal), Permanent R/o Ashok Nagar, Police Station Sarkanda, District Bilaspur Chhattisgarh Present R/o Mohan Nagar, Mohlai Durg, District Durg Chhattisgarh
2. Smt. Uma Mishra W/o Late Ram Bhagwan Mishra Aged About 70 Years R/o Ashok Nagar, Police Station Sarkanda, District Bilaspur Chhattisgarh Present R/o Mohan Nagar, Mohlai Durg, District Durg Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Sarkanda, District Bilaspur Chhattisgarh

---- Respondent

For Applicant	Mr. PK Patel, Advocate
For Respondent/State	Mr. HS Ahluwalia, Dy. AG

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****15/12/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants,

who have been arrested in connection with Crime No.910/2020 registered at Police Station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 304(B), 34 of the IPC.

3. Applicant No.1 Pradeep Mishra is the husband, whereas, applicant No.2 Smt. Uma Mishra is the mother-in-law of deceased Kavita Mishra, who committed suicide by consuming poisonous substance on 30.9.2020. She died on 2.10.2020. Applicant No.1 was married with the deceased about 1 ½ years back at Arya Samaj Temple, Bhilai Nagar.
4. In the dying declaration as well as in the diary statement of Anil Kumar Paney, brother of the deceased, there are allegations of committing physical cruelty by applicant No.1, therefore, he is not entitled to be released on regular bail at this stage.
5. Accordingly, the bail application filed on behalf of **applicant No.1 Pradeep Mishra** is dismissed. However, he may repeat his prayer after examination of the Officer, who recorded the dying declaration, and Anil Kumar Pandey, brother of the deceased.
6. Applicant No.2 Smt. Uma Mishra is an elderly woman, aged about 70 years, therefore, considering the length of pre-trial detention and the nature of allegations against her, I am inclined to release applicant No.2 on regular bail.
7. Accordingly, the bail application filed on behalf of **applicant No.2 Smt. Uma Mishra** is allowed and she is directed to be

released on bail on her furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. Applicant No.2 is directed to appear before the trial Court on each and every date given by the said Court.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna