

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1711 of 2019

- Smt. Yashoda Devi W/o Jagat Yadav Aged About 48 Years R/o Mahabirganj, Sarhar Semarpara, Police Station Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Indira Tripathi, Advocate.
For Respondent/State	: Mr. Amit Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

22/01/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as she is apprehending her arrest in connection with crime no. 136/2019, registered at Police Station Ramanujganj, Distt. Balrampur Ramanujganj, Chhattisgarh for the offence punishable under Section 302 & 304 B/34 of the IPC.
2. As per prosecution story, the applicant is the mother-in-law of deceased Subhadra Yadav. Marriage of the deceased was solemnized with Amit Yadav in the year 2017. On 24.07.2017, Subhadra Yadav was found dead by hanging in suspicious condition. Allegedly, after marriage of the deceased, the applicant and other co-accused persons tortured her on account of demand of dowry.
3. Learned counsel appearing on behalf of the applicant submits that

the applicant is innocent and has been falsely implicated in the present case. She further submits that the applicant was mother-in-law of the deceased, only general allegations have been made against her. *Prima facie* no offence can be made out against her. He finally submits that the applicant is a lady, presently the child of the deceased is residing with the applicant, co-accused Sangita Yadav has already granted benefit of bail by this Court vide order dated 06.11.2019 passed in MCRCA No. 1451/2019, therefore, she may also be granted benefit anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that only general allegations have been made against the applicant, co-accused Sangita Yadav has already granted benefit of bail by this Court. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made herself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade

him/her from disclosing such facts to the Court or to any police officer;

- III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicant shall appear before the Trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge