

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7304 of 2019

1. Hemlal Sahu And Ors. S/o Rohit Sahu, Aged About 21 Years
2. Rohit Kumar Sahu S/o Myaram Sahu, Aged About 45 Years
3. Ful Bai W/o Rohit Sahu, Aged About 44 Years

All R/o Village Khamhariya, P.S. Sarsiva, District Balodabazar
Bhatapara Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Sarsiva, District Balodabazar Bhatapara Chhattisgarh,

---- Respondent

For Applicants	: Shri Shailendra Dubey along with Ms. Shivali Dubey, Advocates.
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 344/2019 registered at police station Sarsiva, district Baloda Bazar (CG) for the offence punishable under Section 304-B/34 IPC.

Case of the prosecution in brief is that deceased Dev Kumari, wife of applicant No.1 was subjected to harassment for demand of dowry and therefore she committed suicide by hanging in her

matrimonial house.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that there are general allegations against the applicants 2 & 3 who are father and mother-in-law of the deceased. He submits that the applicants are in jail since 24.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. He however submits that he wants to withdraw the application on behalf of applicant No.1 with liberty to renew the same after examination of material witnesses.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the age and detention period of the applicants No.2 & 3, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants No.2 & 3 furnishing a personal bond in the sum of Rs. 25,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail. So far as applicant No.1 is concerned, application filed on his behalf is dismissed as withdrawn with the aforesaid liberty.

Sd/-
(Rajani Dubey)
Judge