

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7812 of 2019**

1. Yogeshwar Dhruv S/o. Late Shri Ram Dayal Dhruv Aged About 30 Years R/o.- Village- Koshmi, Thana And District Gariaband Chhattisgarh.
2. Smt. Man Bai W/o. Late Shri Ram Dayal Dhruv Aged About 65 Years R/o. Village- Koshmi, Thana And District Gariaband Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Mainpur, District- Gariaband Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ishan Verma, Adv.
For Respondent/State	: Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.01.2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 80/2019 registered at Police Station Mainpur, District- Gariaband (C.G.) for the offence punishable under Section 306, 34 of the IPC.
2. Deceased is the wife of the applicant No.1 Yogeshwar Dhruv and the allegation against the applicants is that they used to torture her in the name of dowry due to that being harassed, she committed suicide. Based on this offence has been registered against the present applicants.
3. In respect of applicant No.1Yogeshwar Dhruv, learned counsel for the applicant wants to withdraw the bail application.

4. Accordingly, bail application in respect of applicant No.1 Yogeshwar Dhruv is dismissed as withdrawn.
5. In respect of applicant No.2 Smt. Man Bai, learned counsel submits that the applicant is the mother of the main accused/applicant No.1, and the applicant No. 2 is innocent and has been falsely implicated in the crime in question. He further submits that she is an 65 years old lady and is in jail since 05.11.2019, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age and detention period of applicant No. 2 and further considering the facts that she is the mother of main accused as trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant No. 2 Smt. Man Bai on bail. Accordingly, the application in respect of applicant No. 2 is allowed.
9. Accused/applicant No. 2 is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date to be given to her by the said Court.

Sd/-
(Rajani Dubey)
Judge