

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8004 of 2019**

- Tikeshwari Sahu Wd/o Hanuman Prasad Sahu, aged about 24 years, R/o village Tundari, Tahsil Bilaigarh, District Balouda Bazar Bhatapara (C.G.) At present R/o village Hasuwa, Tahsil Kasdol, P.S. Gidhouri, District Balouda Bazar Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : P.S. Suhela, District Balouda Bazar, Bhatapara (C.G.)

---- Respondent

For Applicant	:	Shri F.S. Khare, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.
For Objector	:	Shri B.L. Sahu, Advocate on behalf of Shri U.P.S. Sahu, Advocate

Hon'ble Smt Justice Rajani Dubey**Order on Board****16/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.298/2019, registered at Police Station – Suhela, District Balouda Bazar, Bhatapara (C.G.) for the offence punishable under Section 306/34 IPC.
2. The allegation against the present applicant is that due to harassment being committed by the applicant, the deceased, who is husband of the applicant, committed suicide by hanging. The deceased also wrote a suicidal note wherein he has alleged that the applicant and other co-accused Jawahar Sahu is responsible for his death. Based on this, offence has been registered. The present applicant has been taken into custody on 16.11.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that on 03.01.2020 co-accused Jawahar Lal has already been granted bail in MCRC No.8200/2019 on the same set of evidence. He also submits that the applicant is in custody since 16.11.2019 and there is no likelihood of her case being decided in near future. Therefore, she may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that co-accused has already been granted bail, the applicant is in custody since 16.11.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge