

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8140 of 2019**

- Smt. Sukhmati Sahu W/o Shatrughan Sahu, Aged About 60 Years R/o Village Dadarjori, Police Station Gobra Navapara, Raipur, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Gobra Navapara, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Akhilesh Mishra, Adv.
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/01/2020**

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.486/2019, registered at Police Station – Gobra Navapara, District Raipur (C.G.) for the offence punishable under Section 304-B/34 IPC.
2. The prosecution story, in brief, is that the marriage of deceased Laxmibai Sahu was solemnized with co-accused Rekharam Sahu. The present applicant, who is the mother-in-law of deceased, along with co-accused (husband) and brother-in-law (Jeth) used to harass her for bringing less dowry as a result of which she committed suicide by consuming poison. Based on this, offence has been registered. The present applicant has been taken into custody on 20.11.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that neither relatives of deceased raised

allegation of cruelty nor any report thereof whatsoever has been made by the relatives of the deceased soon before the incident. He also submits that the applicant is aged about 60 years, she is in custody since 20.11.2019 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. He submits that the applicant and other members of the family were harassing and committing maarpeet with the deceased on account of dowry and due to this, the deceased has committed suicide.
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 general allegations have been raised, the applicant is in custody since 20.11.2019 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