

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8352 of 2019

1. Mohan Sahu & Anr. Son Of Jhadi Ram Sahu Aged About 59 Years
2. Fulmat Bai Wife Of Mohan Sahu Aged About 55 Years

Both R/o Village Ghanikhunta, Police Station Khairagarh, District Rajnandgaon Chhattisgarh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Khairagarh, District Rajnandgaon Chhattisgarh,

---- Respondent

MCRC No. 8364 of 2019

- Rekh Lal Sahu S/o Mohan Sahu Aged About 29 Years R/o Village Ghanikhunta, Police Station Khairagarh, District - Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Khairagarh, District - Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	: Shri Shikhar Sharma, Advocate
For Respondent/State	: Shei Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey
Order On Board

06/02/2020

As both these M.Cr.C's arise out of the same crime number they are being disposed of by this common order.

The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 445/2019 registered at police

station Khairagarh, district Rajnandgaon (CG) for the offence punishable under Sections 498-A/34 IPC.

As per case of the prosecution, report was lodged by the complainant alleging that she was married to the applicant in M.Cr.C. No. 8364/2019 on 27.04.2015 and out of their wedlock, they were having one daughter. It is alleged that after two years of marriage, the in-laws started harassing her for demand of dowry and therefore she was residing with her parents.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime. It is further submitted that the offences alleged against the applicants are triable by the Magistrate; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. It is also submitted that the applicants are in jail since 06.12.2019.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge