

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 150 of 2021**

1. Hridayjud Badi S/o Shivshankar Aged About 45 Years R/o Village Chanchidand Kotrahi , Police Chouki Wadrufnagar, Police Station Basantpur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
2. Sitapati W/o Hridayjud Badi Aged About 40 Years R/o Village Chanchidand Kotrahi , Police Chouki Wadrufnagar, Police Station Basantpur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer , Police Station Basantpur , District Balrampur Ramanujganj Chhattisgarh.,

---- Non-applicant

For Applicants	:	Mr. Arun Kumar Shukla, Advocate
For State	:	Mr. V.K. Agrawal, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****02-03-2021**

1. At the very outset, learned counsel for the applicants would submit that he seeks to withdraw the bail application so far as applicant No.1 Hridayjud Badi is concerned.
2. Permission is granted.
3. Accordingly, the bail application of applicant No.1 Hridayjud Badi is dismissed as withdrawn.
4. The applicant No.2 Sitapati has preferred the first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as she has been arrested in connection with Crime No.

104 of 2020 registered in Police Station Basantpur, District Balrampur-Ramanujganj (CG) for offence punishable under Sections 306/34 of IPC.

5. Case of the prosecution is that on 22-5-2020 mother of the deceased Anwara Devi lodged a report in Police Station stating therein that her daughter Uma Devi was married to Dharmendra Badi who is son of applicant No.2 five years ago and after marriage husband of the deceased along with his parents used to torture and harassed her, due to which her daughter committed suicide by hanging on 21-5-2020.
6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He would further submit that the allegations leveled against applicant No.2 are general allegations and there is no direct evidence that that applicant No.2 abetted the deceased to commit suicide. He would further submits that the applicant No.2 was already granted anticipatory bail by coordinate Bench of this court by order dated 27-8-2020 (Annexure A/2). He would further submit that charge sheet has been filed, she is in jail since 8-12-2020 and conclusion of the trial is likely to take some time, therefore she may be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application.
8. I have heard learned counsel for the parties and perused the case diary.
9. Considering the facts and circumstances of the case, looking to the nature of allegations leveled against the applicant No.2, detention

period of the applicant No.2 and the fact that she was already granted anticipatory bail by coordinate Bench of this court by order dated 27-8-2020 which is evident from Annexure P/2, and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that present is a fit case to grant bail to the applicant No.2.

10. Accordingly, the application of applicant No.2 Sitapati is allowed and it is directed that she shall be released on bail on her executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. She shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicant No.2 is being granted bail on the following conditions:

- i. she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- iv. she shall not involve herself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge

Raju