

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 510 of 2021**

- Sunita Khatik W/o Kamlesh Khatik Aged About 30 Years Caste Chikwa, R/o Village Mayapur, Police Station Ambikapur, District Surguja Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Baikunthpur, District Koriya Chhattisgarh

---- Respondent

For Applicant	: Shri Vijay Kumar Sahu, Advocate
For Respondent/State	: Shri Uddhav Sharma, GA

Hon'ble Smt. Justice Rajani Dubey**Order On Board****07/04/2021**

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending her arrest in connection with Crime No. 321/2020 registered at Police Station Baikunthpur, district Koriya (CG) for the offence punishable under Sections 147,306, 498-A and 34 of the IPC.

Case of the prosecution in brief is that the applicant and other co-accused persons used to harass the deceased mentally and physically as a result of which she committed suicide by setting herself ablaze. It is alleged that during treatment she died in the hospital.

Contention of the counsel for the applicant is that the applicant have been falsely implicated in the present case. He further submits that similarly placed co-accused persons have been granted bail by this Court in M.Cr.C.A Nos. 39/2021 and 170/2021 and therefore the present applicant may also be granted similar benefit. He submits that the main allegation is against the husband of the deceased and that the applicant is residing separately from the house of the deceased. Lastly, he submits that the applicant is a lady and in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore she may be granted bail.

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

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail on her executing a personal bond in sum of Rs. 50,000/- with one surety to the satisfaction of the trial Court. The applicant shall also abide by the following conditions :

(i) that 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 them from disclosing such facts to the Court or any police officer;

(ii) that she shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iii) that she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge

suguna