

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7326 of 2021**

1. Jitendra Sahu S/o Manohar Sahu Aged About 24 Years R/o Village Sankari, Police Outpost Birejhar, Police Station Kurud, District Dhamtari, Chhattisgarh.
2. Hemin Bai Sahu W/o Manohar Sahu Aged About 48 Years R/o Village Sankari, Police Outpost Birejhar, Police Station Kurud, District Dhamtari, Chhattisgarh.
3. Manohar (Sahu) S/o Bishat Sahu Aged About 60 Years R/o Village Sankari, Police Outpost Birejhar, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Outpost Birejhar, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Arun Kumar Shukla, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/10/2021**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 273/2021 registered at Police Station-Kurud, District - Dhamtari (C.G.) for the offence punishable under Section 304-B/34 of the IPC.
2. The prosecution story, in brief is that, deceased Hemlata Sahu was married with Doulat Ram Sahu in the year 2018 according to social customs. It is alleged that after marriage, all the accused persons were of one opinion, deceased was mentally as well as physically tortured for demand of dowry and being disturbed by the husband's assault, the deceased committed suicide by consuming poison. Based on this,

offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the present applicants are brother-in-law, mother-in-law and father-in-law of the deceased and there is general allegation against them. The applicants are in jail since 31.07.2021, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that applicant No. 1 (Jinendra Sahu) brother-in-law, applicant No. 2 (Hemin Bai Sahu) mother-in-law is a lady of 48 years, and the applicant No. 3 (Manohar Sahu) father-in-law is a 60 years old person, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**