

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8140 of 2018**

Smt. Manju Gupta, W/o Abhay Gupta, aged about 58 years, R/o Dixit Colony,
Ward No. 2, Kosanagar, Motilal Nehru Nagar, Bhilai, Tahsil and District Durg
(C.G.)

----Applicant**Versus**

State of Chhattisgarh- Through : District Magistrate, Durg, District Durg (C.G.)

---- Non-applicant

For Applicant	: Shri T.K. Jha, Advocate.
For State	: Shri Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****31/10/2018**

Heard.

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 520/2018 registered at Police Station – Supela, District Durg (C.G.) for the offence punishable under Section 304-B/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that marriage of applicant's son namely Neeraj Gupta was solemnized with the Shradha Suman on 12.12.2017 and on account of torture and cruelty meted out by the applicant and her son, Shradha Suman committed suicide by hanging herself and thereby committed the aforesaid offences.
3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the crime in question as she has not committed any offence. He submits that there is no allegation of demand of dowry against the present applicant and she is a Government teacher; she is languishing in jail since 22.09.2018; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State would submit that the applicant used to torture for bringing less down, as such, there is sufficient material available on record against the present applicant, therefore, she is not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; nature and gravity of the offence, further taking into consideration the fact that applicant, being the old aged woman and she is in government job, is languishing in jail since 22.09.2018; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

