

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6191 of 2022**

1. Smt. Maya Sahu W/o Shri Manohar Sahu Aged About 22 Years R/o - Kargikala Thakur Para, Police Thana - Kota, District - Bilaspur, Chhattisgarh, Present Address - Chantidih, Sarkanda, Distt. - Bilaspur, Chhattisgarh.
2. Manohar Sahu S/o Lendhuram Sahu Aged About 29 Years R/o - Kargikala Thakur Para, Police Thana - Kota, District - Bilaspur, Chhattisgarh, Present Address - Chantidih, Sarkanda, Distt. - Bilaspur, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through The Police Station - Kota, District Bilaspur, Chhattisgarh.

---- Respondent**MCRC No. 7116 of 2022**

1. Ledharuram Sahu S/o Late Basant Sahu Aged About 66 Years R/o Kargikala Thakur Para, Police Thana- Kota, District- Bilaspur, Chhattisgarh. Present Address- Chantidih, Sarkanda, District- Bilaspur, Chhattisgarh.
2. Smt. Shatin Bai W/o Ledharuram Sahu Aged About 54 Years R/o Kargikala Thakur Para, Police Thana- Kota, District- Bilaspur, Chhattisgarh. Present Address- Chantidih, Sarkanda, District- Bilaspur, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through The Police Station- Kota, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Ms. Smita Jha.
For Respondent/State	:	Mr. Amit Singh Chouhan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/08/2022**

1. As both the MCRCs arise out of same crime number, they are being heard and disposed of by the common order.

2. 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. 485/2022 registered at Police Station Kota, District-Bilaspur (C.G.) for the offence punishable under Sections 304-B, 34 of the IPC.
3. The prosecution story, in brief, is that the marriage between the deceased and co-accused – Nohar Sahu was solemnized on 27.04.2022. It is alleged that the applicants used to harass the deceased on account of the demand for the dowry of the Motorcycle, due to this harassment the deceased committed suicide by burning herself by pouring kerosene. Based on this, an offence has been registered against the present applicants.
4. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. She further submits that there is no iota of evidence which would show that the deceased has been subjected to cruelty by the applicants on account of the demand for dowry soon before her death. She next submits that the applicant Ledharuram Sahu and applicant Smt. Shatin Bai are the father-in-law and mother-in-law respectively of the deceased who are aged about 66 and 54 years, and the applicant Maya Sahu and the applicant Manohar Sahu are the sisters-in-law and brother-in-law respectively of the deceased and the applicant Maya Sahu is a pregnant lady. She also submits that the applicants in MCRC No. 7116/2022 are in jail since 12.06.2022 & in MCRC No. 6191/2022 are in jail since 16.06.2022. Charge-sheet has been filed and there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, further considering the fact that the applicant-Maya Sahu is a pregnant lady and the applicant Ledhwaruram Sahu and the applicant Smt. Shatin Bai are aged 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 applications are allowed.
8. 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 till final disposal of the trial.

Sd/-
(Rajani Dubey)
Judge