

**THE HIGH COURT OF MADHYA PRADESH, INDORE  
BENCH**

**MCRC No.23127/2021**  
**Jaydabee & Anr. vs. State of M.P.**

**Indore, dated:03.08.2021**

Shri A.K. Saraswat, learned counsel for the applicants.

Shri D.S. Chouhan, learned counsel for the non-applicant –  
State.

Shri Sadab Khan, learned counsel for the objector.

With the consent of parties, heard finally.

This is 2<sup>nd</sup> bail application under Section 439 of Cr.P.C. for grant of bail. The applicants are implicated in Crime No.06/2021 registered at Police Station Nahargarh District Mandsaur for the offence punishable under Sections 306 and 498-A of IPC. They are in custody since 11.01.2021.

First application MCRC No.10895/2021 was dismissed as withdrawn on 26.03.2021 with liberty to file at appropriate stage.

Learned counsel for the applicants submits that the applicants are aged about 38 and 41 years respectively. They are house wives and having no criminal record. The deceased Taniya unfortunately died within one month from the date of marriage. There is no suicide note. There is no material to attract Section 306 and 498-A of IPC. Challan has been filed. The applicants will not temper the evidence and material. The applicants are in custody since 11.01.2021. The conclusion of trial in this Covid-19 pandemic era will take time. Hence, the applicants may be enlarged on bail.

The prayer is opposed by learned Counsel for the State as well as learned counsel for the objector.

Learned counsel for the objector placed reliance on certain statements recorded under Section 161 of Cr.P.C. In addition, he also placed reliance on the averments of the legal notice that the deceased, before her death, has intimated her family members that she wish to say something while visiting her parents house. However, before she

could visit, she committed suicide. The matter which she wanted to disclose can be gathered from the legal notice.

I have heard the parties at length and perused the record.

Considering the aforesaid, period of custody, challan has been filed, the applicants are first offenders, conclusion of trial will take time and nothing is pointed out to suggest that if the applicants are released on bail they may be able to influence the witnesses or the material and the fact that both the applicants are women and house wives, I deem it proper to enlarge the applicants on bail.

The application filed by the **applicants Jaydabee W/o Shaid Mewati and Najmabee w/o Whid Kha** is allowed. The applicants are directed to be released on bail on their furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only) each** with one solvent surety of the like amount to the satisfaction of the trial court for their regular appearance before the trial court during trial with a condition that they shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under section 437(3) Cr.P.C.

With the aforesaid, the application stand disposed of.

Certified copy, as per rules.

**(Sujoy Paul)**  
**Judge**

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