

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6682 of 2015

- Hiramani Rajwade W/o Jeetram Rajwade Aged About 47 Years Caste Rajwar, R/o Village - Haratikara, Police Station - Jainagar, Tahsil & District Surajpur Civil District - Surajpur, Revenue District - Surajpur, Chhattisgarh --- **Petitioner**

Versus

- The State Of Chhattisgarh Through : Station House Officer, Police Station - Jainagar, Tahsil & District Surajpur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. A. K. Prasad, Advocate
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.147/2015 registered at P.S. Jainagar, Distt. Surajpur (C.G) for the offence punishable under Sections 304-B, 302/34 IPC.
2. Prosecution case, in brief, is that deceased was married to Santosh @ Pappu on 01.05.2015 and subsequently after four months of the marriage, she died in suspicious circumstances. It is alleged that she was subjected to torture for demand of dowry. The merger intimation was made by Anuradhe Rajwade, brother in law of deceased stating that the deceased committed suicide by hanging, however, in the postmortem report, injury marks were found on the body of deceased. According to the postmortem report, death was due to strangulation and it was also a case of poisoning.

3. Learned counsel for the applicant submits that the applicant is mother-in-law of deceased and no evidence is available against her to connect her with the crime. He further submits that the main allegations are against the son of the applicant and since the postmortem report shows that the death was due to strangulation, therefore the applicant has not played any role in commission of offence.
4. On the other hand, learned State Counsel opposes the bail and submits that as per the statement of Sushila Rajwade, sister of the deceased, the deceased was subjected to torture.
5. I have perused the memorandum statement of the main accused Santosh wherein he has stated that he forcibly applied Phorate and insecticides to her wife and he was assisted by her sister-in-law and at that point of time the present applicant also came there and subsequently it is stated that thereafter the wife strangled and she died.
6. The postmortem report says that the cause of death was strangulation. Consequently, prima facie the presence of this applicant at the time of strangulation appears. Therefore, it is not a fit case to enlarge the applicant on regular bail. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**