

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3575 of 2015**

Salma alias Khairun, wife of Mustakim, aged about 50 years, occupation Housewife, resident of village Mitgai, police station Ramanujganj, District Balrampur-Ramanujganj (C.G.)

**.....Applicant****Versus**

State Of Chhattisgarh Through: the Station House Officer, police station Ramanujganj, District Balrampur-Ramanujganj (C.G.)

**---- Respondent**


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| For Applicant:        | Shri V.K. Pandey, Advocate.                    |
| For Respondent/State: | Shri Siddharth Rahtore, Deputy Govt. Advocate. |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****26/08/2015**

Heard.

(1) The accused/applicant has moved this second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 164/2014 registered at Police Station Ramanujganj, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 304 (B) of the Indian Penal Code.

(2) The applicant's first bail application was dismissed as withdrawn by order of this Court dated 02.03.2015 passed in M.Cr.C. No. 6014/2014 with liberty to repeat the same after examination of the parents of the deceased.

(3) Case of the prosecution, in brief, is that marriage of Shabiya (deceased) was solemnized with Riyaz Ali in the month of April, 2014 and immediately after marriage present applicant, who is mother-in-law of the deceased, started harassing her and treated her with cruelty in connection with demand of dowry; and out of humiliation and frustration, she committed suicide consuming poisonous substance on 15.06.2014.

(4) Counsel for the applicant submits that three material witnesses have been examined and they have not supported the case of the prosecution and, as such, she, being the woman, is languishing in jail since 30.08.2014; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(5) On the other hand, counsel for the State opposes the bail application.

(6) Taking into consideration the facts & circumstances of the case; looking to the nature and gravity of the offence; and considering the statement of the witnesses; particularly the fact that death occurred within two months of the marriage; I am not inclined to release the applicant on bail. Thus, the bail application is rejected. However, the trial Court is directed to expedite the trial and conclude it within three months from the date of receipt of copy of this order.

Certified copy, as per rules.

Sd/-  
(Sanjay K. Agrawal)  
Judge

D/-

