

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3740 of 2015**

1. Firbal Patel, wife of Asharam, aged about 55 years,
2. Chamelibai, wife of Hariram Patel, aged about 30 years.

Both are resident of village Daubandhan, P.S. Bilaigarh,
District Baloda Bazar/Bhatapara (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through- Station House Officer, P.S.
Bilaigarh, Distt. Baloda Bazar/Bhatapara (C.G.)

---- Non-applicant

For Applicants: Mr. S.K. Guha, Advocate.
For Non-applicant/State: Mr. Siddharth Rathore, Dy. Govt.
Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/08/2015

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.170/2015 registered at Police Station-Bilaigarh, Baloda Bazar, District Bhatapara for the offences punishable under Sections 304B/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that marriage of Purnima Patel (since deceased) was solemnized with Narsingh Patel on 30.04.2013 and immediately after marriage present applicant & other co-accused persons started harassing her in connection with demand of motor cycle and other things; and out of humiliation and frustration, she committed suicide on 30.05.2015 by setting herself ablaze and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have not committed any offence and they have been falsely implicated in the offence in question; they are the married women; applicant No.1 is mother in law whereas applicant No. 2 is sister-in-law of the deceased and, as such, there is no evidence on record to connect them in the offence in question except general and omnibus allegations made by relatives of the deceased against the applicants and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State submits that applicants demanded motor cycle from the deceased immediately after marriage and doubted her character and out of which, she committed suicide and, therefore, the applicants are not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; role of the present applicants in the offence in question; and the relationship of the deceased with the applicants as they are mother-in-law & sister-in-law of the deceased; considering

their pre trial detention and the substantial investigation has already been made; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-