

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3978 OF 2015**

Smt. Radhiyabai Yadav, W/o Gajanand Yadaav aged about 57 years, R/o Vilage Riwan, Thana Mandirhasoud District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Thana In-Charge, P.S. Mandirhasoud, District Raipur (C.G.)

---Non-applicant

For Applicant	:	Ms. Smita Jha, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 165/2015, registered at Police Station Mandirhoasoud, District Raipur (CG), for the offence punishable under Section 304-B/34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, marriage of Rajesh was solemnized with Manju on 07/04/2014 and on account of humiliation and cruelty meted out and dowry demanded by the applicant and other co-accused, she committed suicide on 03/10/2014.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is mother-in-law of the deceased and there is general and omnibus statement against the present

applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 24/06/2015, therefore, she may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and referring to the statement of Bishmat Bai and Premwati would submit that deceased was treated with cruelty on account of demand of dowry and thereby she committed suicide.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; statement of prosecution witnesses and within six months of the marriage, deceased is said to have committed suicide, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE