

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4670 of 2015**

1. Smt.gouri Bai Jaiswal, aged about 50 years, wife of Harnarayan,
2. Harnarayan Jaiswal, aged about 53 years, son of Chheduram,

Both are resident of Village-Kaitha, Police Station-Hasaud, District-Janjgir-Champa (CG)

---Applicants

Versus

State of Chhattisgarh Through : Station House Officer, Police Station Hasaud, District-Janjgir-Champa (CG)

---Non-applicant

For Applicants	:	Mr. C.P.Lahre, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/09/2015

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 applicants who have been arrested in connection with Crime No.72/2015, registered at Police Station-Hasaud, District Janjgir-Champa (CG), for the offence punishable under Section 304B/34 of the IPC.

2. Case of the prosecution, in brief, is that marriage of deceased Neha Jaiswal was solemnized with son of the applicants namely Shankar Jaiswal in the month of June, 2011 and immediately thereafter they starting harassing her and treating her with cruelty demanding dowry, by which she committed suicide by pouring kerosene oil over her and set her ablaze and thereby committed the aforesaid offence.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that the applicants are mother-in-law and father-

in-law of the deceased and main allegation is against husband of the deceased who is said to have harassed the deceased by demanding dowry. There are general and omnibus allegation against the present applicants they are aged persons aged about 50 and 53 years and are in jail since 5.5.2015, charge-sheet has already been filed, substantive investigation has already been completed and no useful purpose would be served by detaining them in jail and therefore, they may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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 against the applicants, the fact that main allegation is against husband Shankar Jaiswal and the applicants are aged persons, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

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

8. It is directed that applicants **Smt.Gouri Bai Jaiswal** and **Harnarayan Jaiswal** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-