

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6224 of 2015

1. Maikul Bai Kenwat, W/o. Dhirpal Kenwat, Aged About 50 Years,
2. Dhirpal Kenwat, S/o. Late Firatram Kenwat, Aged About 55 Years,
Both are R/o. Village Bhilauni, Police Chowki - Pachpedi, Police
Station - Masturi, District – Bilaspur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police
Station - Masturi, District Bilaspur, Chhattisgarh

---- Respondent

For Applicants : Mr. Goutam Khetrapal, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.266/2015 registered at Police Station- Masturi, District Bilaspur (C.G.) for the offence punishable under Section 304-B, 34 of Indian Penal Code.
2. As per the prosecution case, in brief, on 15.08.2015, the deceased Smt. Rajmati who was married on 07.12.2013 committed suicide within seven years of marriage for demand of dowry as she was tortured by the applicants. Therefore, the case was registered.
3. Learned counsel for the applicants submits that against these applicants general allegations have been made and main allegations have been made against Veeras Kewat, who is the husband of the deceased. He further submits that the incident

happened only on the trivial issue of eating tomato, therefore, considering the fact and evidence, they may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties, perused the case diary and merged statement also.
6. Considering the allegations made against these applicants and the fact that the primary allegation is against the husband and further taking into fact that the charge sheet has been filed and the applicants are in jail since 05.09.2015, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each 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/-
(Goutam Bhaduri)
Judge