

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5277 of 2015**

Mehtarin Ratre W/o Baran Ratre, aged about 60 years, R/o Village-Dhaneli,
P.S.-Sejbahar, Civil & Revenue Distt.Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station-
Sejbahar, Distt.Raipur (CG)

---Non-applicant

For Applicant	:	Mrs. Indira Tripathi, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/10/2015

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.58/2015, registered at Police Station-Sejbahar, District-Raipur (C.G.), for the offence punishable under Section 304B/34 of the IPC.

2. Case of the prosecution, in brief, is that marriage of deceased Anju Ratre was solemnized with son of the applicant namely Om Prakash Ratre on 14.4.2013 and immediately after the marriage the present applicant and co-accused i.e. her husband started harassing her and treated her with cruelty in connection of demand of dowry and on account of such humiliation and frustration, the deceased committed suicide by pouring kerosene over her and setting her ablaze on 6.4.2015.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and she has been falsely implicated in the case. She would further submit that on the date of alleged commission of offence the present

applicant was not present in her house, she is mother-in-law of the deceased aged about 60 years and there is general and omnibus statement against the present applicant. There is no specific allegation of demand of dowry against the present applicant. She would also submit that the present applicant being a woman is in custody since 19.6.2015 and charge-sheet has already been filed and therefore, she may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that there is allegation of assault against her husband and allegation of harassment against the present applicant.

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; role of the present applicant; there is general and omnibus statement against the present applicant, she being a woman is in custody since 19.6.2015 and the fact that charge-sheet has already been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail.

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

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

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-