

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 899 of 2016**

Smt. Anjor Bai, wife of Siyaram Patre, aged about 65 years,
Occupation House Wife, R/o. Village Dhodhapara, P.S. Lormi,
District Mungeli (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through : Station House Officer, G.R.P.,
Raigarh, District Raigarh (C.G.)

-----Non-applicant

For Applicant: Mr. Shailendra Dubey, Advocate.
For Non-applicant /State: Mr. Neeraj Kumar Sharma, Dy Govt.
Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 27/2015 registered at Police Station G.R.P., Raigarh for the offence punishable under Section 304(B) of Indian Penal Code.

(2) Case of the prosecution, in brief, is that marriage of Smt. Seema Patre (deceased) was solemnized with son of the applicant namely Khemraj in the year 2010 and immediately after marriage present applicant and her son started harassing her and treated her with cruelty in connection with demand of dowry; and out of humiliation and frustration, she along with her two children – Paras Patre and Bhumi Patre committed suicide on 10.09.2015 at Down Line Railway Yard, Sakti.

(3) Counsel for the applicant submits that present applicant is mother in law of the deceased and, as such, she is nothing to do with the crime in question as there is general and omnibus allegations against her. He further submits that applicant is in jail since 29.12.2015; and charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the Station deceased – Smt. Seema Patre along with her two minor children have died on account of unnatural death and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts and circumstances of the case; looking to the nature & gravity of the offence; and considering the fact that main allegation of demand of dowry for various purposes is directly and mainly against the husband of the deceased namely Khemraj; applicant, being the old lady; aged about 65 years, is in custody since 29.12.2015 and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Smt. Anjor Bai** is directed to be released on bail on her 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. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge