

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2625 of 2016

1. Manohar Lal S/o Late Narayan Das Adwani Aged About 62 Years
R/o Kashyap Colony, Gali No. 3 Bilaspur, Police Station City
Kotwali, District - Bilaspur Chhattisgarh.
2. Smt. Bhavana @ Parwati Adwani W/o Manohar Adwani Aged
About 58 Years R/o Kashyap Colony, Gali No. 3 Bilaspur, Police
Station City Kotwali, District - Bilaspur Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh Through The Police Station City Kotwali,
Bilaspur District Bilaspur Chhattisgarh.

---- Respondent

For Applicants :- Mr. S.C. Verma, Advocate
For Respondent/ State :- Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/06/2016

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. 186/2013 registered at Police Station- City Kotwali, Bilaspur District Bilaspur (C.G.) for the offence punishable under Sections 304-B of Indian Penal Code.

2. Case of the prosecution, in brief, is that the deceased Saumya Adwani was married to one Rakesh Adwani on 22.02.2012 subsequent to that she was subjected to torture for demand of dowry. As a result, the deceased committed suicide by hanging on 16.03.2013, therefore, both the applicants along with the other have committed the offence.
3. Counsel for the applicants would submit that son Rakesh was tried for the offence and he has been convicted by the Court below. He further submits that the applicant No. 1 and the applicant No. 2 are father in law and mother in law of the deceased and are aged about 62 and 58 years. He further submits that general allegations have been levelled against them. He further submits that both the applicants have been falsely implicated in this case and they have multiple diseases which would be evident from the documents filed along with the bail application. He further submits that the applicants are in jail since 18.03.2016, therefore, they may be enlarged on bail.
4. Per contra State counsel opposes the prayer for grant of bail.
5. Perused the documents and the statement. Perusal of the documents and the statement wherein omnibus allegations have been made against these applicants. Considering the documents and taking into the fact that the statement already on record, further taking into the fact that the age of the applicants and the medical documents and considering the fact that they are in jail since 18.03.2016 and no further investigation is necessary in this

case, specially considering the age of the applicants, I am inclined to release the applicants on bail.

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

7. 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.

Sd/-
(Goutam Bhaduri)
Judge

Santosh