

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 953 OF 2016**

1. Jagat Ram Kenwat S/o Jogi Ram, aged about 62 years,
2. Smt. Teej Bai W/o Jagat Ram Kenwat, aged about 55 years, Both are R/o Village Dhangaon, Police Station Balconagar, Tahsil Korba, Civil and Revenue District Korba (C.G.)

---Applicants**Versus**

State of Chhattisgarh, Through District Magistrate/Station House Officer, Police Station Balconagar, District Korba (C.G.)

---Non-applicant

For Applicants	:	Mr. C.P. Lahrey, Advocate
For Non-applicant	:	Mr. Dheeraj Wankhede, G.A.

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

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. 354/2015, registered at Police Station Balconagar, District Korba (C.G.), for the offence punishable under Section 306, 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, Smt. Khantibai- daughter-in-law of the applicants committed suicide on 06/10/2015 on account of abatement, instigation and demand of dowry extended by present applicants and other co-accused persons and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in offence in question. He would further submit that present applicants are father-in-law and mother-in-law of the deceased, aged about 62 and 55 years respectively. He would further submit that applicants neither harassed nor demanded dowry. He would lastly submit that charge sheet has been filed and applicants are in jail since 07/12/2015, therefore, they may be released on bail.

4. On the other hand, learned State counsel would

oppose the prayer for grant of bail and submit that because the deceased could not conceive pregnancy, the applicants used to harass her, therefore, they are not entitled to be released on bail.

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 applicants in offence in question; age of the applicants; their relation with the deceased and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Jagat Ram Kenwat and Smt. Teej Bai, 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