

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1543 OF 2016**

1. Ramesh Sidar S/o Soukhilal Sidar aged about 24 years occupation Laborer R/o village Turekela P.S. Kharsia Tahsil Kharsia Civil and Revenue District Raigarh C.G.
2. Meethabai W/o Soukhilal Sidar aged about 42 years occupation Laborer R/o village Turekela P.S. Kharsia Tahsil Kharsia Civil and Revenue District Raigarh C.G.

---Applicants**Versus**

State of Chhattisgarh, Through the Station House Officer of the Police Station Kharsia District Raigarh C.G.

---Non-applicant

For Applicants	: Mr. Abhishek Saraf, Advocate
For Non-applicant	: Mr. Dhiraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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. 598/2015, registered at Police Station Kharsia District Raigarh (C.G.), for the offence punishable under Section 304(B)/34 of IPC.

2. Case of the prosecution, in brief, is that, marriage of deceased Annapurna Sidar was solemnized with the applicant No.1- Ramesh Sidar one year prior to the date of FIR i.e. 10/11/2015 and on account of cruelty in connection with demand of dowry extended by the applicants, she committed suicide on 10/11/2015.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the offence in question. He would further submit that there is no evidence to connect the present applicants in offence in question. He would lastly submit that charge sheet has been filed and applicants are in jail since 28/11/2015, therefore, they may be released on bail.

4. Learned counsel for the State would oppose the prayer for grant of 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 and further taking into consideration the nature and gravity of offence, role of the applicant No.1; death occurred within one year of marriage and material available against applicant No.1, this Court is not inclined to release the applicant No.1 on regular bail. Accordingly, bail application filed on behalf of applicant No.1- Ramesh Sidar is rejected.

7. So far as the bail application filed on behalf of applicant No.2 is concerned, role of applicant No.2; material available against her; she is mother-in-law of deceased; her pretrial detention and charge sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicant No.2 should be enlarged on regular bail. Accordingly, the bail application filed on behalf of applicant No.2- Meethabai is allowed.

8. It is directed that applicant No.2- Meethabai 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

Tiwari