

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.2320 of 2016

Poonam Dubey, W/o Yash Kumar Dubey, aged about 35 years, R/o Khaptiha, Police Station Mau, District Chitrakut (U.P.)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Kartala, Civil and Revenue District Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Chandra Bhushan Kesharwani, Advocate.
For Non-applicant:	Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.11/2016, registered at Police Station Kartala, Distt. Korba, for the offence punishable under Sections 498A and 304B read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that deceased Pinki Dubey was married to Rohit @ Ambika Prasad Dubey on 20-5-2013 at Village Khaptiha, Police Station Mau, District Chitrakut (U.P.). The applicant is sister-in-law (Badi Jethani) of the deceased.
3. The deceased committed self-immolation and succumbed to burn injuries on 19-10-2015 at Village Jachiya, Police Station Kartala, District Korba in her paternal house.
4. In the statements of Munni Devi – mother of the deceased and Vimla Bai – neighbour of the deceased at her parental house, have stated that the deceased used to inform them that she is subjected to cruelty by her husband, mother-in-law and both the Jethanis including the applicant. The statements were read-over.
5. Based on the above statements, learned State counsel would

oppose the bail application.

6. Material available in the case diary would indicate that the applicant has only made sarcastic comments on the deceased. Moreover, there is no specific allegation of demand of dowry against this applicant; nor there is any allegation of commission of physical cruelty by this applicant.
7. Considering the entire fact situation of the case, particularly for the reason that the applicant is a woman and is in jail since 22-1-2016, this Court is inclined to grant bail to the applicant. Accordingly, the bail application is allowed.
8. It is directed that in the event of applicant's executing a personal bond for a sum of **Rs.1,00,000/- with two local sureties** for the like amount to the satisfaction of the trial Court concerned, he shall be released on bail. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Vacation Judge
(Prashant Kumar Mishra)