

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3970 of 2016

1. Kanta Prasad S/o Ashok Jangde Aged About 25 Years
2. Ashok Kumar S/o Jagatram Jangde, Aged About 40 Years
3. Smt. Rambha Bai W/o Ashok Jangde, Aged About 40 Years
4. Yashvant Jangde S/o Bhagatram Jangde, Aged About 47 Years
All R/o Village Fulwari Khurd, P.S. Lalpur, District Mungeli
Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, P.S. - Lalpur,
District Mungeli Chhattisgarh.

---- Respondent

For applicants - Shri Vivek Sharma, Advocate.
For Respondent/State – Shri Satish Gupta, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/07/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.23/2016 registered in Police Station Lalpur, District Mungeli (C.G.) for offence punishable under sections 302, 304-B, 201 read with u/s 34 of Indian Penal Code.
2. As per the prosecution case, on 22/01/2016 one Ranjita sustained burn injury and she succumbed to it on the same day. Subsequently, it is the case of the prosecution that the applicants who are husband and in-laws used to torture the deceased for demand of dowry and therefore she died in unnatural circumstances.
3. Learned counsel for the applicants submits that the applicant No.1 is the husband and applicants No.2 to 4 are the in-laws are residing separately which would be evident from the map which is appended in the charge sheet. It is further submitted that after the incident the statement of

deceased was recorded wherein the cause of death she stated that it was accidental one and marriage had taken place before three years and no allegation for demand of dowry was ever made, therefore under the circumstances applicants have been falsely implicated and they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Case diary contains dying declaration of the deceased which is recorded by the doctor wherein she has stated that because kerosene filled jarricane fell on her while she was cooking, therefore she sustained burn injury. Taking into such dying declaration, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE