

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5609 of 2016

- Smt. Rukmani W/o Ajeet Kurrey Aged About 50 Years R/o Katekoni, Police Station Sarangarh, Tahsil Sarangarh, District Raigarh, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Sarangarh, Civil & Revenue District Raigarh, Chhattisgarh. --- **Respondent**

MCRC No. 5666 of 2016

1. Ajeet Kurrey S/o Fuluram Kurrey, Aged About 50 Years Occupation Cultivator, R/o Katekoni, Police Station-Sarangarh, Tahsil Sarangarh, District Raigarh, Chhattisgarh
2. Kishan Kurrey S/o Ajit Kurrey, Aged About 18 Years Occupation Cultivator, R/o Katekoni, Police Station-Sarangarh, Tahsil Sarangarh, District Raigarh, Chhattisgarh --- **Applicants**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Sarangarh, Civil & Revenue District Raigarh, Chhattisgarh --- **Respondent**

For the applicants	:	Mr. Udho Ram Koshaley, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.09.2016

1. These are first bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 168/2016 registered at P.S. Sarangarh Distt. Raigarh (C.G) for the offence punishable under Section 304-B/34 IPC.
2. Since both the bail applications are relating to the same crime number, they are being decided by this common order.
3. As per the prosecution case, one Santoshi Kurrey died in

unnatural circumstances by hanging on 20.02.2016. She was married to Roshan Kurrey 3 years back. Applicant Smt. Rukmani is mother-in-law and applicant Ajeet Kurrey is father-in-law and Krishna Kurrey is brother-in-law. It is alleged that the deceased was subjected to cruelty for demand of dowry and because of such cruelty meted out to her, she died in unnatural death.

4. Learned counsel for the applicants submits that immediately after the incident, the *merg* statements were recorded wherein no allegations of demand of dowry were attributed to the present applicants and it is only after two months, the false allegations have been attributed. He further submits that the suicidal note which was seized on the spot also do not clamp any charge over these applicants, therefore, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail applications.
6. Perused the case diary, documents and statements of witnesses. The case diary also contains the suicidal note of the deceased which was produced by the father of deceased wherein no allegations have been attributed.
7. Considering the statements of witnesses and nature of allegations leveled against the applicants and further considering the totality of facts and circumstances especially the fact that charge sheet in this case has been filed and no further investigation is necessary and the applicants are stated to be in jail since 06.05.2016, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with

one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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