

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5280 of 2016

1. Smt. Malti Dhruv, W/o. Sri Suman Dhruv, Aged About 40 Years.
2. Ku. Rajeshwari Dhruv, D/o. Suman Dhruv, Aged About 22 Years.

Both R/o. Village : Dhabadih, Tahsil & Police Station : Baloda Bazar, District : Baloda Bazar - Bhatapara, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station : City Kotwali, Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicants : Mr. C.R.Sahu, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.09.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.229/2016 registered at Police Station- City Kotwali, Baloda Bazar, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 304-B/34 of Indian Penal Code.
2. As per the prosecution case, one Ravita Bai died because of burn injury and she was married to Shailendra on 21.04.2015. Subsequently, after the marriage, she was subjected to torture for demand of dowry by the husband and the present applicants who are *Mausi Sas* and sister-in-law and the deceased Ravita Bai died due to burn injury on 12.11.2015.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and only general allegations have been attributed against the applicants. He further submits that the

deceased was not subjected to any demand of dowry soon before her death, which would be evident from the statement of Padmavati, Rukhmani & Sumina Bai who are the neighbours and they have stated that no dispute was existing in between the applicants and the deceased. He further submits that the charge sheet in this case has been filed, no further investigation is necessary, applicants are ladies and they are in jail since 13.07.2016, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and statements. Considering the facts and circumstances of the case, evidence so collected and the fact that charge sheet has been filed and the applicants who are ladies are in jail since 13.07.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge