

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5496 of 2016

1. Gendi Bai W/O Malik Ram Verma Aged About 55 Years R/O Village-Boirdih, Police Station Palari, District-Balodabazar-Bhatapara, Chhattisgarh.
2. Dinesh Son S/O Malik Ram Verma Aged About 26 Years R/O Village-Boirdih, Police Station Palari, District-Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Palari, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Yogesh Chandra, Advocate

For Respondent/State : Mrs. Shobha Kashyap Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16-09-2016

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 on 13-6-2016 in connection with Crime No. 209 of 2016, registered at Police Station Palari, District Balodabazar-Bhatapara (CG) for the offence punishable under Section 304-B of the IPC.
2. Case of the prosecution, in brief, is that applicant No.1 is mother-in-law and applicant No.2 is husband of deceased Rohini Verma. On 18-5-2016 Rohini Verma died unnatural death by burn injuries. She was married to applicant No.2 Dinesh in the year 2012 and thereafter she was subjected to torture for demand of dowry by the applicants and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that it is a case of accident as would be evident from the statement of

deceased which was recorded by Doctor B.S. Dhruw, Primary Health Centre, Boirdih wherein she has stated that it is a pure accident. He would further submit false allegations have been attributed to the present applicants, charge-sheet has been filed, the applicants are in jail since 13-6-2016 and no further investigation is necessary, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents which contains the statement of deceased Rohni Verma recorded by Doctor wherein she has stated that she caught-fire because of falling of chimney.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the present applicants and further considering the statement of deceased Rohni Verma which was recorded by Doctor B.S. Dhruw and also the fact that charge-sheet has been filed and the applicants are in jail since 13-6-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju