

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6521 of 2016

1. Ramgilas Verma, S/o. Gopiram Verma, Aged About 40 Years.
2. Smt. Chheeta Bai, W/o. Ramgilas Verma, Aged About 30 Years.

Both R/o. Village Chhechhar, Police Station Kasdol, Civil & Revenue District Baloda Bazar, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Police Station Kasdol, Civil & Revenue District Baloda Bazar, Chhattisgarh.

---- Respondent

For Applicants : Mr. Adil Minhaj, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03.11.2016

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.212/2016 registered at Police Station- Kasdol, District Baloda Bazar (C.G.) for the offence punishable under Section 304B, 498A, 302, 201, 34 of Indian Penal Code.
2. As per the prosecution case, one Ramkumari died by burning on 27.05.2016, she was married to Manharan and the present applicants are brother-in-law & sister-in-law i.e. Jeth & Jethani. It is alleged that the applicants alongwith the husband has treated the deceased with cruelty, therefore, she died an unnatural death.
3. Learned counsel for the applicants would submit that the applicants are the brother-in-law & sister-in-law and at the time of incident, the deceased was boiling water by the stove and she might have caught the fire and accidental death has caused, therefore, no

offence has been committed by the applicants and as such they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The merged statement was made by the husband on 27.05.2016 at 10:45 that on 8:45, the deceased caught fire while boiling water and she was burned. The post mortem report shows no carbon particulars in the trachea. The medical expert report shows that the deceased got the burn injury after the death. Taking into such facts and the fact that the applicants are also inmates of the house, I am not inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge