

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6831 of 2016

1. Kishan Yadav, S/o. Krishna Yadav, Aged About 28 Years.
2. Smt. Setkunwar Bai Yadav, W/o. Krishna Yadav, Aged About 50 Years.

Both are R/o. Village Tiloda, Police Chowki Machandur, Police Station Utai, Civil & Revenue District Durg, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh, Through the Police Station- Utai, District Magistrate, Durg, Civil & Revenue District Durg, Chhattisgarh.

---- Respondent

For Applicants : Mr. Punit Ruparel, Advocate

For Respondent : Mr. Anil S.Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.11.2016

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.173/2016 registered at Police Station- Utai, District Durg (C.G.) for the offence punishable under Section 304-B/34 of Indian Penal Code.
2. As per the prosecution case, one Rewti Bai committed suicide by hanging on 22.06.2016. It is alleged that she was married to Tameshwar three years prior to the incident and thereafter she was subjected to torture for demand of dowry by the present applicants who are mother-in-law and brother-in-law (jeth); thereby she died an unnatural death.
3. Learned counsel for the applicants would submit that the applicants are the mother-in-law & brother-in-law and during the inquest no allegation was made against the present applicants and the report was made after six days. He further submits that false allegations

have been attributed against the applicants, 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 and the statements as also the statement recorded during merge enquiry. Taking into the nature of allegation attributed against the applicants which are general in nature, without any observation on merit, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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