

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1270 of 2016**

1. Smt. Meera Patel, W/o. Shri Ramratan Patel, Aged About 58 Years, R/o. Village- Kanchanpur, Police Station & Tahsil Baramkela, District -Raigarh, Civil and Revenue District -Raigarh, Chhattisgarh.
2. Ramratan Patel, S/o. Late Baijnath Patel, Aged About 61 Years, R/o. Village -Kanchanpur, Police Station & Tahsil Baramkela, District -Raigarh, Civil And Revenue District -Raigarh, Chhattisgarh.

----Applicants**Versus**

1. State Of Chhattisgarh, Through : Police Station - Baramkela, District -Raigarh Chhattisgarh.

---- Respondent

For Applicants	: Mr. M.K. Sinha, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****10/03/2017**

1. Apprehending arrest in connection with Crime No.88/2016 registered at Police Station- Baramkela, District – Raigarh (C.G.), for offence punishable under Section 304-B, 201/34 of Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. The case of the prosecution, in brief, is that one Pooja Patel died on 19.06.2016 by consuming poison. The deceased was married to Sanjay Patel on 28.04.2016. The report was made by the father of the deceased on 04.11.2016 alleging that the deceased was subjected to torture for demand of dowry, consequently, she died unnatural death within seven years of marriage.

3. Learned counsel for the applicants would submit that the applicants are the mother-in-law and father-in-law of the deceased and they were residing separately and the son was residing separately, which would be evident from ration card and only false allegations have been attributed. It is further submitted that entire goods were returned to the father of the deceased on 03.07.2016 at that time, no allegations were attributed about the demand of dowry. Therefore, the counsel prays that the applicants may be extended the benefit of anticipatory bail.
4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused case diary and the report. Initially in the report, the demand of dowry by all the family member is alleged, which is still under investigation. Considering the same, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicants as it can not be stated that custodial interrogation of the applicants may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge