

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8103 of 2016

1. Gangaram Matre, S/o. Shobharam Matre, Aged About 50 Years.
2. Kanak Bai, W/o. Gangaram Matre, Aged About 46 Years.
3. Dharam Matre, S/o. Gangaram Matre, Aged About 28 Years.

All are R/o. Village Kotgaon, Police Station- Sahaspur Lohara, Civil & Revenue District Kabirdham, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- District Magistrate/ Station House Officer, Police Station- Sahaspur Lohara, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants : Mr. Dharmesh Shrivastava, Advocate.

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.01.2017

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.198/2016 registered at Police Station- Sahaspur Lohara, District Kabirdham (C.G.) for the offence punishable under Section 304(B), 34 of Indian Penal Code.
2. As per the prosecution case, one Kunti Bai was married to Sunil Matre and died an unnatural death as she consumed poison on 15.03.2016. It is alleged that the present applicants who are father-in-law, mother-in-law & brother-in-law of the deceased used to torture her for demand of dowry of Motorcycle and Rs.20,000/-. Consequently, she died an unnatural death within seven years of marriage.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and the entire allegation is on the husband and only omnibus allegations are made against the present 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, statement of Jogi Kumar Sahu, merged statement of Kamlesh Kumar and also the statement of neighbour Sushila Bai. Taking into such statements and the nature of allegation against the present applicants, 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