

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 744 of 2018**

1. Mukesh Jolhe S/o Late Amritlal Jolhe Aged About 21 Years, R/o. Village Vishalpur, Sarangarh, Police Station and Tahsil Sarangarh, District Raigarh Chhattisgarh
2. Smt. Jamunabai W/o Late Amritlal Jolhe Aged About 50 Years R/o Village Vishalpur, Sarangarh, Police Station And Tahsil Sarangarh, District Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Sarangarh, District Raigarh, Chhattisgarh

----Non-applicant

For Applicants	:	Mr. Awadh Tripathi, Advocate
For State	:	Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/03/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicants, who have been arrested in connection with Crime No. 634/2017 registered at Police Station Sarangarh, District Raigarh, Chhattisgarh for the offence punishable under Sections 304-B/34 of Indian Penal Code.
2. The present applicants are in jail since 12.12.2017 in connection with the aforesaid Crime number.
3. The allegation as per the case of prosecution against the present applicants is that the present applicants have ill-treated the deceased, wife of applicant No.1 and the daughter in law of applicant No.2 on demand of dowry and on account of the ill-treatment, torture and cruelty, the deceased ultimately committed suicide on

29.10.2017 i.e. in just about 7 months time from the date of marriage.

4. The counsel for the applicants submits that all the allegations leveled against the applicants are all omnibus and general statement and that the prosecution during the course of investigation have also found a suicidal note from the body of the deceased in which she has herself stated that she is voluntarily committing suicide and that her family members are not responsible for the same in any manner and they should not be harassed for her act. Given the fact the counsel for the applicants prayed for grant of bail.
5. The State counsel however opposing the bail application submits that the very fact that the death took place in unnatural circumstances in just about 7 months time from the date of marriage, by itself establishes the fact that the relationship between the deceased and the members in the matrimonial home were not cordial. He further submits that there are statements of mother, father and other relatives of the deceased who have stated that the deceased used to be ill-treated and tortured on account of demand of dowry by the present applicants, which forced her to commit suicide.
6. Given the total facts and circumstances of the case particularly taking note of the contents of the suicidal note, which is also part of the case diary and also considering the statements of the father and the mother of the deceased, all the allegation seems to be more general in nature and omnibus, this Court is of the opinion that prima facie a strong case has been made out for grant of bail to the

applicants. Accordingly, the present application for grant of bail is allowed.

7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court for their appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge

Ved