

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1871 of 2018**

1. Umendra Ram Yadav son of Samlu Ram Yadav, Aged About 70 Years R/o Village Tada, Gadhiyapara, P. S. Kota, District Bilaspur, Chhattisgarh.,
2. Saroj Bai Yadav, W/o Tilakram, Aged About 40 Years R/o Village Tada, Gadhiyapara, P. S. Kota, District Bilaspur, Chhattisgarh. ---
Petitioners

Versus

State of Chhattisgarh through Station House Officer, Police Station
Kota, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. U.K.S. Chandel Advocate.
For the Respondent	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.06.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 16 of 2018 registered at Police Station Kota, District Bilaspur, Chhattisgarh for the offences punishable under Section 304-B/34 of IPC.
2. As per the prosecution case, one Rajni has died unnatural death within 7 years of marriage as her marriage was performed in April, 2017 and died on 30.12.2017. It is alleged that she was subjected to cruelty for demand of dowry. The applicants herein are father-in-law and sister-in-law of the deceased.
3. Learned counsel for the applicants submits that immediately after the incident, the merged statement of father of deceased

was recorded wherein allegation of demand of dowry was not made, however, after nearly about 35 days, the allegation of dowry was made. He further submits that before the incident the father visited the house of deceased but no complaint was made. It is also submitted that applicant no.1 is aged about 70 years and applicant no.2 is a domestic lady and no allegations have been attributed to them. He submits that the charge sheet has been filed and they are in jail since 08.02.2018, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the merged statement of the father of the deceased. Considering his statement and the fact that the charge sheet has been filed, applicant no.1 is aged about 70 years and applicant no.2 is a domestic lady and thus looking to the prima facts, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**