

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2600 of 2018**

1. Smt. Sangeeta Kumari Patle, W/o. Ramakant Patle, Aged About 22 Years,
2. Smt. Rajni Bai Patle, W/o Hemlal Patle, Aged About 44 Years,
Both R/o. Village Thargabahara, Police Station and Tahsil Baloda,
District Janjgir Champa Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station Baloda, Civil and Revenue, District -Janjgir -Champa, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Surfaraj Khan, Advocate & Mr. Vimal Kumar Tondey, Advocate
For State/respondent	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****02/05/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.15/2018, registered at Police Station – Baloda, District – Janjgir-Champa (C.G.), for the offence punishable under Section 304-B, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in

jail since 13.02.2018. Charge-sheet has been filed after completion of investigation. No case is made out against the applicants on the basis of the material present in the charge-sheet. The applicant No.1 is pregnant and the due date of the delivery is 23rd of the instant month. It is further submitted that omnibus allegation has been made against the applicants by the witnesses that the applicants have tortured the deceased for demand of dowry. Hence, prayed that the applicants may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that there is ample evidence present on record to make out a prima-facie case against the applicants. Hence, prayed that the applicants may not be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, the marriage of the deceased Karina Patle was performed with the co-accused Ravi Kanth on 05.05.2017. While living in her matrimonial home, the deceased committed suicide by hanging on 17.01.2018. After inquest report, FIR has been lodged against the applicants and other co-accused persons.
6. Considered on the submissions made and the contents of the case diary. After due consideration on all the material present in the case diary, the allegation has been made against the applicants by the witnesses in this case, it appears that general statement has been made without specification against the applicants, hence for this reason, this Court is of the opinion that present is a fit case, in which,

the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram