

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 487 of 2019**

Smt. Kasturiya W/o Motilal Kol Aged About 40 Years R/o Village Kathoutiya, P. S. And Tahsil Manendragarh District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh .

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Jhagrakhand, Chouki Khongapani, District Koriya Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Smt. Meena Shastri, Advocate
For the State	:	Shri V. Dixit, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**07/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.211/2018 registered at Police Station Jhagrakhand, Chouki Khongapani, District Koriya (C.G.) for the offence punishable under Section 304-B, 34 of IPC.
3. Case of the prosecution, in brief is that applicant is the mother-in-law of the deceased Ranu Kol. The marriage of deceased and Babloo Kol was performed on 16/05/2013. After the marriage husband of the deceased, her father-in-law, her mother-in-law, had started harass for on demand of a motorcycle, Rs. 1 Lakh cash as dowry. Her mother had also given a Hero Honda motorcycle to Babloo Kol. They were also harassed her saying that she is barren and not reprocreating any child. On 22/11/2018 deceased committed suicide in her matrimonial house.
4. Counsel for the applicant argued that FIR is delayed by 11 days. After the marriage and during the suicide of deceased no report was lodged against her in-laws, deceased committed suicide in her matrimonial house, thus applicant may be released on bail.

5. Learned counsel for the applicant further submits that she is innocent and falsely implicated in the present case, therefore, she shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde