

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 687 of 2019**

1. Smt. Shakun Bai, W/o Shri Sampat Dewangan, aged about 50 years.
 2. Sampat Dewangan, S/o Shri Kartik Dewangan, aged about 54 years.
- Both the applicants are resident of village Pendarwani, Police Chowki Kanwar, Police Station Gurur, District Balod (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Police Station Gurur, District Balod (CG).

---- Non-applicant

For Applicants	: Mr. Ravi Maheshwari, Advocate
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

05.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.139/2018 registered in Police Station Gurur, Civil & Revenue District Balod for the offence punishable under Section 304-B read with 34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that the marriage of deceased Shail Kumari was solemnized with co-accused Tikaram Dewangan on 04.10.2018. The applicant No.1-Smt. Shakun Bai is mother-in-law and applicant No.2-Sampat Dewangan is father-in-law of deceased. After the marriage, the applicants, co-accused Naresh Ram Dewangan, brother-in-law of deceased and co-accused her husband Tikaram Dewangan were used to harass her on account of bringing insufficient dowry and not brought motorcycle, washing machine and sewing machine etc due to which deceased herself poured kerosene oil on her body and set her on fire on 23.06.2018. On very day, she died.
4. Counsel for the applicants submitted that the applicants have not committed any offence and have been falsely implicated in the case. He further submitted that prior to alleged incident no report and no complaint was lodged regarding demand of dowry by the deceased and only general allegation is made out against the applicants and no allegation is made out against them regarding demand of dowry and as such the applicants may be released on bail.
5. On the other hand, counsel for the State opposed the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicants on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicants.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE