

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 897 of 2019**

1. Shushila Bai, aged about 50 years, W/o Sukdev Tandon.
 2. Bhago Bai, W/o Guha Ram, aged about 54 years.
- Both are resident of village Mulmula, P.S. Mulmula, Tahsil Pamgarh, District Janjgir Champa (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Police Station Mulmula, District Janjgir Champa (CG). **---- Non-applicant**

For Applicants	: Mr. Ravindra Sharma, Advocate
For Non-applicant	: Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.02.2019

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.170/2018 registered in Police Station Mulmula, District Janjgir Champa for the offence punishable under Sections 304-B/34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that the marriage of deceased namely Seema Tandon was solemnized with co-accused Nitesh Kumar Tandon 05 years ago on 25.04.2012. Applicant No.1-was her mother-in-law and applicant No.2 was her matrimonial Aunt. After the marriage, the applicants and co-accused Nitesh Kumar Tandon were harassing her on account of bringing insufficient dowry and demanded of cash as dowry. On 02.10.2018 the deceased committed suicide by hanging herself.
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 charge-sheet has already been filed and applicants are in jail since 23.11.2018, the applicant No.2- Bhago Bai resides separately and applicant No.1-Shushila Bai is suffering from kidney ailment and applicant No.2-Bhago Bai is suffering from eye ailment hence they 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 material available on record, 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

L/-