

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1721 of 2019**

- Smt. Jayanti Vibhar W/o Jeelaram Vibhar Aged About 47 Years R/o Boriyakala, Housing Board, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Telibandha, District Raipur, Chhattisgarh.

---- Respondent**MCRC No. 1881 of 2019**

- Jilaram Vibhar S/o Late Panchu Vibhar Aged About 47 Years R/o Housing Board Colony Marine Drive, Police Station Telibandha Raipur District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Cahhattisgarh Through Police Station Telibandha Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicants (in both cases)	: Ms. Richa Dwivedi on behalf of Shri P.K.Patel, Advocates.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**13/05/2019**

Heard.

1. Since both cases arise out of same Crime No., therefore, they are being disposed of by this common order.
2. The Applicants have preferred their second bail applications under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 447/2018, registered at Police Station –

Telibandha, District- Raipur, (C.G.) for the offence punishable under Sections 304B, 34 of the IPC.

3. First bail applications of the Applicant namely Smt. Jayanti Vibhar and Jilaram Vibhar have been dismissed as withdrawn vide order dated 04.01.2019 & 05.02.2019 passed in MCRC No. 9296/2018 and MCRC No. 381/2019 respectively.
4. As per the prosecution story, Applicant (in MCRC No. 1721/2019) namely Smt. Jayanti Vibhar is the mother-in-law and Applicant (in MCRC No. 1881/2019) namely Jilaram Vibhar is the father-in-law of the deceased Khushboo. Marriage between the deceased and co-accused Goutam was solemnized on 21.02.2018. Within 7 months of their marriage, deceased died in suspicious situation on 06.08.2018. Merg was lodged and statements of mother and brother of the deceased were recorded, therein it was disclosed that after the marriage, the deceased was harassed and tortured by her husband and other family members for demand of dowry. On the basis of their statement, offence has been registered. Applicants have been taken into custody on 29.10.2018.
5. Learned Counsel appearing on behalf of the Applicants submit that the Applicants are innocent and have been falsely implicated in the case. She further submits that there is no any specific allegations made by both the witnesses i.e. mother and brother of the deceased against the Applicants. Only general allegations have been made against them. She further submits that on the same fact of evidence, other co-accused persons namely Ku. Rukhmani Vibhar i.e. sister-in-law and Anirudh Vibhar i.e. brother-in-law of the deceased have already been granted bail by this Court vide order dated 04.01.2019 & 05.02.2019 passed in MCRC No. 9296/2018 and MCRC No. 381/2019 respectively. It is further submitted that both the present Applicants are old aged person and they are in custody since 29.10.2018 and trial is likely to take some time. Therefore, they may be released on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes

the bail application.

7. I have heard learned Counsel for the parties and perused the case diary.
8. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants are in custody since 29.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
9. Accordingly, the bail applications are allowed.
10. It is directed that the Applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge