

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1374 of 2019**

1. Sucrata Bai, W/o Dharamlal Satnami Aged About 61 Years R/o - Village Bhadora, Tehsil Bilaigarh, District Baloda-Bazar-Bhatapara Chhattisgarh.
2. Pramila Tadey D/o - Dharamlal Satnami Aged About 22 Years R/o -Village Bhadora, Tahsil Bilaigarh District Balod-Bazar-Bhatapara Chhattisgarh, Present Address W/o -Raghuveer Satnami, R/o - Village Tardevri, Police Station and Tahsil Birra, District - Jangir-Champa Chhatisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through S.H.O. - Police Station- Bilaigarh, District Baloda-Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicants : Shri Hemant Gupta, Advocate.

For Respondent/State : Shri Amit Kumar Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****05/11/2019**

1. Heard.
2. Learned Counsel appearing on behalf of the Applicants submits that he wants to withdraw the application with respect to Applicant No. 1.
3. In view of the above submission made by learned Counsel, application is dismissed as withdrawn with respect to Applicant No. 1 namely Sucrata Bai.
4. The Applicant No. 2 has preferred this first bail application under Section 438 of Cr.P.C. for apprehending her arrest in connection with Crime No. 182/2019 registered at Police Station Bilaigarh, District – Balodabazar-Bhatapara, (C.G.) for the offence punishable under

Sections 304-B of IPC.

5. In this case, Applicant No. 1 is the mother-in-law and Applicant No. 2 is the sister-in-law of deceased Priyanka. Marriage of Priyanka was solemnized with Dinesh Tonde on 24.03.2019. Within seven years of her marriage, deceased committed suicide by hanging herself on 09.06.2019. It is alleged that soon before her death, deceased was subjected to cruelty for demand of dowry by the present Applicants and other co-accused persons and due to that she committed suicide. On 10.06.2019, F.I.R. has been lodged by the father of the deceased and on the basis of the said, offence has been registered.
6. Learned Counsel appearing for the Applicant No. 2 submits that the Applicant No. 2 is innocent and has been falsely implicated in the present case. He further submits that Applicant No. 2 is the sister-in-law of deceased, she is a married lady and is residing separate with her husband in village Tardevri, District- Janjgir-Champa. It is further submitted that, only general allegations have been made against Applicant No. 2. Since, she is a married lady and is residing separate with her husband in Tardevri, therefore, no question of demand of dowry or any sort of torture can be raised against her. Thus, *prima facie*, no case is made out against Applicant No. 2, therefore, she (Applicant No. 2) may be granted benefit of anticipatory bail.
7. Learned Counsel appearing for the State opposes the bail application.
8. I have heard learned Counsel appearing for the parties and perused the material available with due care.
9. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case and further considering the fact that Applicant No. 2 is the sister-in-law of the deceased and she is residing separate with her husband in other village, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to Applicant No 2.
10. Accordingly, the bail application is allowed with respect to Applicant

No. 02.

11. It is directed that in the event of arrest of the Applicant No. 2 in connection with the aforesaid crime, she shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. She shall also abide by all the following terms and conditions :

- (i) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court,
- (ii) She shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) She shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge