

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1597 of 2019**

1. Pradeep Kumar Ratre, S/o Mahettar Lal Aged About 34 Years R/o Village Giroudhpuri, P. S. Gidhouri, District Balodabazar-Bhatapara Chhattisgarh.
2. Geeta Ratre W/o Pradeep Kumar Aged About 25 Years R/o Village Giroudhpuri, P. S. Gidhouri, District Balodabazar-Bhatapara Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through P. S. Gidhouri, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Shri Anchal Kumar Matre, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****19/12/2019**

1. The applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 179/2019 registered at Police Station Gidhouri, District – Baloda Bazar-Bhatapara, (C.G.) for the offence punishable under Section 304-B of Indian Penal Code.
2. As per the prosecution story, marriage of deceased Lata was solemnized with Harishchandra Ratre one and half years back with Hindu rites and ceremonies. Allegedly, after the marriage, deceased was harassed, tortured and mistreated by her husband, in-laws and present applicants as she has brought very less dowry. Present

applicant No. 1 & 2 are the brother-in-law and sister-in-law of the deceased respectively. On 11.06.2019, deceased was found dead in a suspicious condition. Matter was reported by mother of the deceased Lakeshwari Banjare. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that applicant No. 1 & 2 are the brother-in-law and sister-in-law of the deceased respectively and they both are living separate. It is further submitted that only general allegations have been made by the complainant against applicants. There is no evidence on record which shows that deceased was subjected to cruelty soon before her death. Thus, *prima facie*, no offence is made out against present applicant. He further submits that deceased used to remain ill after delivering a son some days prior to her death due to which she was physically and mentally depressed and as a result of which she committed suicide. Therefore, it is prayed that, applicants may be granted anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and particularly considering the fact that

applicants are the brother-in-law and sister-in-law of the deceased and there is no direct evidence against them, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.

7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them 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. They shall also abide by all the following terms and conditions :

- (i) They 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) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge