

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1608 of 2019

Smt. Meena Kulpahadi W/o Shri Krishna Kumar Kulpahadi, aged about 52 years R/o Madhuban Road, Shikha Street opposite to Shikha Vatika, Ward No. 32, Bilaspur, Tahsil and District Bilaspur (C.G.).

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer In-charge, Police Station City Kotwali, Bilaspur, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. B.P. Sharma and Mr. M.L. Sakat, Advocate
For Respondent	:	Ms. Seema Dixit, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20/12/2019

1. The Applicant has filed this application for grant of anticipatory bail as she is apprehending her arrest in connection with Crime No. 77/2019 registered at police station City Kotwali, Bilaspur (C.G.) for the offence punishable under Sections 304B/34 of the IPC.
2. As per prosecution story, the Applicant is mother-in-law of the Deceased Gouri. The marriage between the Deceased and Raj Kulpahadi was solemnized in the year 2013 and within 7 years of her marriage, the Deceased committed suicide by hanging herself on 29/09/2017. It is alleged that after the marriage of the Deceased, the Applicant and other co-accused persons used to torture and irritate her on account of dowry. It is also alleged that on 27/09/2017 soon before her death, she was subjected to cruelty by the Applicant and other co-accused persons and for these reasons, the Deceased died suicide on

29/09/2017 in suspicious condition.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant has been falsely implicated in the present case. Prima-facie no case is made out against the Applicant as there is nothing on record on the basis of which it can be said that just before the death of the Deceased, she was subjected to cruelty on account of demand of dowry by the Applicant. With regard to the incident took place on 27/09/2017, the allegations have been made only against co-accused Raj Kulpahadi, husband of the Deceased and co-accused Raj Kulpahadi has already been granted regular bail by the coordinate bench of this High Court. He further submits that charge-sheet has been filed and no custodial interrogation is required, therefore, the Applicant may be granted benefit of anticipatory bail.
4. On the other hand, learned counsel appearing on behalf of the State opposed the bail application.
5. I have heard counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case and the submission put forth by the counsel for the parties, particularly considering that the main allegations have been made against co-accused Raj Kulpahadi who has already been granted regular bail by the coordinate bench of this High Court, without further commenting on other merits of the case, I am inclined to grant the benefit of anticipatory bail in favour of the Applicant.
7. Accordingly, this bail application is allowed.
8. It is directed that in the event of arrest, the Applicant shall be released on bail on her furnishing a bond in the sum of Rs. 20,000/- with one

surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:

- i. That, the accused/Applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required;
- ii. The accused/Applicant 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 facts to the Court or to any police officer;
- iii. The accused/Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. The Applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

9. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge