

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6763 of 2019**

- Sukhin Bai Wd/o Late Gambhir Prasad Aged About 63 Years, Caste - Suryawanshi, R/o Village - Mohgaon, Police Station Saragaon, Tahsil Champa, Civil And Revenue District Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The District Magistrate Janjgir, Civil And Revenue District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. P.M. Shriwas, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 41/2019 registered at Police Station-Saragaon, District-Janjgir-Champa (C.G.) for the offence punishable under Section 304 (B) read with Section 34 of the IPC.
2. The prosecution story, in brief is that deceased namely Rajani Bai was married with the accused namely Dildar in the year 2014 and she had died within 7 years of her marriage at her in-laws house due to hanging. Thereafter, Guardians of the deceased has lodged F.I.R. against the husband along with other family members alleging that the present applicant and other co-accused persons tortured her for dowry. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that the present applicant is 63 years old lady and there is a general allegation of demand of dowry against the present applicant. The applicant is in jail since 03.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the present applicant is 63 years old lady and there is a general allegation of demand of dowry against the present applicant. The present applicant is in jail since 03.06.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**