

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9296 of 2018**

1. Ku. Rukhmani Vibhar D/o Jeelaram Vibhar, aged about 22 years,
 2. Smt. Jayanti Vibhar, aged about 47 years W/o Jeelaram Vibhar,
- Both are R/o Boriyakala, Housing Board, District Raipur (C.G.)

--- Applicants**Versus**

State of Chhattisgarh, Through Station House Officer, P.S. Telibandha, Civil & Revenue District Raipur (C.G.)

---- Respondent

For Applicants	:	Mr. Pushpendra Kumar Patel, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**04/01/2019**

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 447/2018 registered at Police Station Telibandha (C.G.) for the offence punishable under Section 304-B & 34 of the IPC.
2. In this case, Applicant No. 1 is sister-in-law and Applicant No.2 is mother-in-law of Deceased Khusboo. Marriage between the Deceased and co-accused Goutam was solemnized on 21/02/2018. Within 7 months of thier marriage, the Deceased died in suspicious situation on 06/08/2018. Merg was lodged. 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 said, offence has been registered and the Applicants have been taken into custody on 29/10/2018.

3. Counsel for the Applicants, after arguing some time, submits that he does not want to press this bail application with regard to Applicant No. 2 and only press this application on behalf of Applicant No.1.
4. Thus, this bail application is dismissed as not pressed against Applicant No.2.
5. With regard to Applicant No.1, counsel for the Applicants submits that Applicant No. 1 is innocent and has been falsely implicated in the present case. She is sister-in-law of the Deceased. There is no specific allegation made by both the witnesses i.e. mother and brother of the Deceased against Applicant No.1 and only general allegation has been made against her. Applicant No. 1 is unmarried lady and is in custody since 29/10/2018, therefore, she may be released on bail.
6. Counsel appearing on behalf of the State also opposes the bail application.
7. I have heard learned counsel for both the parties.
8. Considering the entire facts and circumstances of the case, particularly the evidence collected by the prosecution and the allegations made against Applicant No.1, and further considering that she is in custody since 29/10/2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release Applicant No.1 on bail.

9. Accordingly, the bail application is allowed in respect of Applicant No.1.
10. It is directed that Applicant No. 1 shall be released on bail on her executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul