

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 130 of 2020**

- Madan @ Madan Lal Manhare S/o Ganpat Aged About 42 Years Resident Of Kokadi, Baloda-Bazar, District- Baloda-Bazar-Bhatapara Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- S.H.O.- Pallari, District- Baloda-Bazar-Bhatapara Chhattisgarh

---- Non-Applicant**MCRCA No. 177 of 2020**

- Uttra W/o Narayan Say, Aged About 42 Years R/o Gautam Nagar, Bhopal, Govindpura, Bhopal (Madhya Pradesh)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Palari, District Balodabazar Chhattisgarh,

---- Non-Applicant**MCRCA No. 186 of 2020**

- Digeshwari Dhritlahre D/o Shri Dinesh Kumar Dhritlahre, Aged About 25 Years R/o Boirdih, Palari, Balodabazar, District - Balodabazar Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Palari, District - Balodabazar - Chhattisgarh.

---- Non-Applicant

For Applicants : Mr. Hemant Gupta and Ms. Supriya Upasane, Adv.
For Non-Applicant : Mr. Alok Bakshi, Additional AG.

Proceeding Through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/06/2020 :

1. The aforesaid bail applications are being disposed of by this common order as they arise out of Crime No.466/2019, registered at Police Station Pallari, District Baloda Bazar – Bhatapara for offence punishable under Section 304-B/34 of the IPC.
2. Deceased Kiran Bai was married to Chintaram, who is the main accused in the present case. The deceased committed suicide by consuming suspected poisonous substance on 24.11.2019. Applicant Madan @ Madan Lal Manhare is the brother-in-law (*Jeeja*) of Chintaram whereas applicant Digeshwari is the *Bhabhi* of Chintaram and as such, she is the Jethani of the deceased. Applicant Uttra is the *Dedh Saas* (sister-in-law) of the deceased. While Uttra resides at Bhopal, Digeshwari resides at nearby village than the village where the incident took place. In the statement of Kashiram, father of the deceased, allegation is made that his daughter was married with Chintaram about 4 years back and soon after the marriage, her husband and in-laws started harassing her in connection with demand of dowry. During Dipawali festival of the year 2019, the deceased had gone to Bhopal where applicant Uttra resides. During this time, Uttra committed cruelty by demanding motorcycle from the deceased. On the date of incident, there was dispute between the deceased and her husband because of which she consumed poisonous

substance at about 3 pm on 24.11.2019. She succumbed to death before Kashiram, father of the deceased, could reach the hospital.

3. There appears general allegations against applicants Madan @ Madan Lal and Digeshwari whereas incident of demand of motorcycle by Uttra happened at Bhopal and that too about a month back from the date of incident and not immediately prior to the incident. The immediate cause of death appears to be her fight/dispute with husband in the morning of date of incident.
4. Considering that all the applicants are resident of different places than the village where the incident has taken place and the allegation of demand of dowry was initially of general nature without specifically mentioning the exact cash or article demanded as dowry and for the fact that applicants Digeshwari and Uttra are ladies, this Court is inclined to extend the benefit of anticipatory bail to all the applicants.
5. Accordingly, the applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

(i) they shall make themselves available for interrogation by a police officer as and when required;

(ii) 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 from disclosing such facts to the Court or to any police officer.

Sd/-

Judge

(Prashant Kumar Mishra)