

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3220 of 2020**

1. Smt. Basanta Dhuruwa W/o Shri Kejuram Dhuruwa Aged About 42 Years Caste- Gond, R/o Village Kilepar, Police Outpost- Halwa, Thana Narharpur Civil And Revenue District North Baster Kanker, Chhattisgarh
2. Haribal Dhuruwa S/o Shri Kejuram Dhuruwa Aged About 24 Years Caste- Gond, R/o Village Kilepar, Police Outpost- Halwa, Thana Narharpur Civil And Revenue District North Baster Kanker, Chhattisgarh

---- Applicants**Versus**

- The State Of Chhattisgarh Through The Station House Officer Police Outpost- Halwa, Thana Narharpur, District North Baster Kanker, Chhattisgarh

---- Respondent

For Applicant/s	:	Mr. Sunil Sahu, Advocate.
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****24/08/2020**

Heard.

1. The applicants have moved this application for grant of bail as they are arrested in connection with Crime No.63/2020 registered at Police Station- Police outpost-Halwa, Thana-Narharpur, District- North Baster Kanker, C.G. for the offence under Section 304-B/34 of IPC.
2. Prosecution case is that the deceased had married with applicant No.2-Haribal Dhuruwa out of love without involvement of her parents. It is alleged that later on, after marriage on 25.03.2019, the mother-in-law, Smt. Basanta Dhuruwa and husband-Haribal were harassing the deceased making demands of money. She was being scolded by her mother-in-law that she has not brought anything in marriage. Later on, deceased was found dead in the matrimonial house and she was reported having died of hanging.
3. Learned counsel for the applicants would submit that though the deceased- wife of applicant No.-2 died unfortunate death, it is not a case of dowry death. He would argue that in morgue inquiry, it was reported on 19.02.2020 that as

per the version of the in-laws, when the husband did not take his wife to attend a fare, the wife became unhappy and all of a sudden, she committed suicide. He would next submit that during investigation, the father and mother of the deceased have clearly stated that deceased was having love affair with Haribal and she left the parental house without informing her parents, started residing with Haribal and thereafter married him on 25.03.2019 without any participation and involvement of the parents. Therefore, there is no question of the applicants raising any demand of dowry. He would also argue that the allegations against the applicant are vague and omnibus and even if, it is accepted that husband was demanding money for getting a job, that would not amount to demand in connection with dowry. It is submitted that as per the post-mortem report, deceased died of hanging which is said to be suicidal and not homicidal, therefore, the applicants may be granted bail.

4. On the other hand, learned State Counsel opposes and submits that the father, mother, cousin-Janki, maternal grandmother-Yashoda and her own maternal uncle, all have stated that though deceased had married Haribal against the wishes of her parents and it was a love marriage, later on, the mother-in-law and husband both started harassing and there was demand of money and mother-in-law scolding by saying that she had come from beggars family and had not brought anything in the marriage.
5. Having considered the submissions of learned counsel for the parties, taking into consideration the statement of prosecution witnesses and that the deceased died unnatural death in the matrimonial house, I am not inclined to grant bail to the applicants.
6. The bail application is accordingly rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge