

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7124 of 2019

1. Smt. Meera Gupta, W/o Shri Mahendra Prasad Gupta Aged About 58 Years Resident Of Village Chhindkalo, P.S. Darima, Tahsil Ambikapur , Distt. Surguja Chhattisgarh....(In Jail)
2. Amitesh Gupta S/o Shri Mahendra Prasad Gupta Aged About 22 Years Resident Of Village Chhindkalo, P.S. Darima, Tahsil Ambikapur , Distt. Surguja Chhattisgarh....(In Jail)

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Darima, Distt. Surguja Chhattisgarh...(Non Applicant)

---- Respondent

For Applicants	: Shri Neeraj Kumar Mehta, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.39/2019 registered at police station Darima, District Surguja (CG) for the offence punishable under Section 304-B IPC.

Case of the prosecution in brief is that deceased Pragati Gupta committed suicide after locking the door from inside, in the in-laws' house as she was subjected to harassment for demand of dowry. The applicants are the mother-in-law and brother-in-law of the deceased.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He submits that husband of the deceased has been granted anticipatory bail by this Court in M.Cr.C. (A) No. 714/2019 vide order dated 15.05.2019 and that the present applicants are mother and brother-in-law of the deceased and there is no allegation against these applicants, therefore similar benefit may be granted to them. He further submits that the applicants are in jail since 15.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants and the fact that the co-accused has already been granted bail by this Court, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of applicants' furnishing a personal bond in the sum of Rs. 25,000/- with one surety each, for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge