

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7884 of 2020**

- Smt. Jeera Bai W/o Rajkumar Jangde Aged About 50 Years R/o Village Budgahan, Police Station City Kotwali Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Respondent

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MCRC No. 7962 of 2020

- Vijay Kumar Jangde S/o Rajkumar Jangde Aged About 29 Years R/o Village Budgahan, Police Station City Kotwali Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh

---- Respondent

For Applicants	:	Shri Satyaprakash Verma, Advocate
For State	:	Smt. Fouzia Mirza, Addl. Adv. Gen.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Both the applications are being disposed off by this common order as they arise out of the same crime number.

1. The applicants have been arrested in connection with Crime No.612/2020 registered at Police Station – City Kotwali, District – Baloda Bazar, Bhatapara (C.G.) for alleged commission of offences under Section 306/34 of IPC.

2. Prosecution case is that the mother-in-law – Jeera Bai and husband – Vijay Kumar Jangde were harassing and torturing the deceased due to which, the deceased poured kerosene on her and set herself ablaze.

3. Learned counsel for the applicants would submit that in the present case, the applicants have been involved only because the daughter-in-law died in her matrimonial house in suspicious circumstances due to burning. He submits that immediately after the incident, no specific allegations were made and after FIR was registered, it is alleged that there was some quarrel between Jeera Bai and the deceased. It is submitted that thereafter, an after thought statement have been recorded under Section 161 CrPC that the mother-in-law and husband were quarreling, harassing and torturing the deceased, due to which, she committed suicide. He submits that investigation is complete, charge sheet has been filed, therefore, the applicant may be granted bail.

4. On the other hand, learned State counsel would submit that the deceased was found burning in the matrimonial house and burning is said to be due to pouring of kerosene oil on her. It is further submitted that in the case diary statements of the prosecutrix, it has come that the deceased was being harassed and tortured by the mother-in-law and the husband.

5. Taking into consideration the submission of learned counsel for the parties and also the statements, particularly taking into consideration the role of the applicants, as far as Jeera Bai is concerned, her application is allowed as the investigation is complete and charge sheet has been filed. However, application of **Vijay Kumar Jangde** is rejected.

6. It is directed that the applicant – **Jeera Bai** shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) She shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) She shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge