

(2019) 02 CHH CK 0069

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 487 Of 2019

Kasturiya

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: Feb. 7, 2019

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 34, 304B

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: Meena Shastri, V. Dixit

Final Decision: Dismissed

Judgement

Sharad Kumar Gupta, J

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.

2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.211/2018 registered at Police Station

Jhagrakhand, Chouki Khongapani, District Koriya (C.G.) for the offence punishable under Section 304-B, 34 of IPC.

3. Case of the prosecution, in brief is that applicant is the mother-in-law of the deceased Ranu Kol. The marriage of deceased and Babloo Kol was

performed on 16/05/2013. After the marriage husband of the deceased, her father-in-law, her mother-in-law, had started harass for on demand of a

motorcycle, Rs. 1 Lakh cash as dowry. Her mother had also given a Hero Honda motorcycle to Babloo Kol. They were also harassed her saying that

she is barren and not reprocreating any child. On 22/11/2018 deceased committed suicide in her matrimonial house.

4. Counsel for the applicant argued that FIR is delayed by 11 days. After the marriage and during the suicide of deceased no report was lodged

against her in-laws, deceased committed suicide in her matrimonial house, thus applicant may be released on bail.

5. Learned counsel for the applicant further submits that she is innocent and falsely implicated in the present case, therefore, she shall be released on

bail.

6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.

7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the

applicant on society, the present bail application is rejected .