

Miscellaneous Criminal Case No.9965/2011**29.12.2011**

Shri O.P. Solanki, Advocate for the applicant.

Smt Mukesh Kumawat, Panel Lawyer for the NA/State.

Heard. Case diary perused.

By this application filed under Section 439 of the Cr.P.C. applicant Smt. Dhapubai has moved this application for grant of bail being implicated in Crime No. 350/2011, registered by Police Station Hatpipliya, district Dewas for offence under Sections 304-B & 498-A/34 of the IPC.

Counsel for the applicant has vehemently urged the fact that the applicant has been falsely implicated in the matter, being mother-in-law of the deceased. He urged that it is general tendency to implicate all the family members and in-laws of the deceased after the death by the parents of the girl. Counsel stated that even if prosecution allegations are considered, the marriage had taken place on 6.5.2006 and there was no evidence on record to indicate that the demand of dowry which has been made and the allegation has been made on the basis of omnibus statements of relatives of the deceased. Counsel prayed for grant of bail since the applicant has been arrested on 17.10,2011.

Counsel for the respondent/State, on the other hand opposed the submissions and prayed for dismissal of the application.

Considering the above and looking to the fact that the applicant is a lady, I find that it is a fit case for grant of bail. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with one surety of like amount to the satisfaction of the trial Court/CJM for her appearance before the concerned

trial Court on each date of hearing as may be fixed by the trial Court in this behalf during the pendency of trial.

It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

Certified copy as per rules.

(Mrs. S.R. Waghmare, J.)

rCS*