

M.Cr.C.No.10288/2014

29.12.2014

Shri Sanjay Sharma, learned counsel for the applicant.

Shri RS Bais, learned Dy. GA for the respondent/State.

Case diary is available.

This is first bail application filed by the applicant under section 439 of the Code of Criminal Procedure for grant of bail.

The accused/applicant was arrested by the Police Station - Bilpank, District - Ratlam in Crime No.363/14 under Sections 306, 201/34 of IPC.

According to the prosecution, the deceased Manjubai was the wife of the present applicant. She was brought to the district hospital Ratlam and the doctor on examination, declared her to be dead. Thereafter, Merg was registered by police station - Station Road. During Merg enquiry, it was found that the death of the deceased was caused because of consumption of some poisonous substance. It is alleged that present applicant doubted her character due to which, the mother in law and father in law used to beat her and as such, she committed suicide.

Learned Dy. GA opposes the bail application.

Arguments heard, case diary perused.

Learned counsel for the applicant argues that there was no demand of dowry and no overt act assigned to the present applicant therefore, bail should be granted to him.

After perusing the case diary and taking into consideration all the facts and circumstances of the case, without commenting on the merits of the case, I am of the view that it is a fit case for grant of bail. The application filed under section 439 of the Cr.P.C. is allowed.

It is directed that the applicant – Motilal Son of Balaram Muniya shall be released on bail on his furnishing a personal bond of **Rs.50,000/- (Rs. Fifty Thousand only)** and one solvent surety of the like amount to the satisfaction of the concerned Magistrate for his appearance on all the dates of hearing as may be directed in this regard during trial.

He is further directed that on being so released on bail, he would comply with the conditions enumerated under section 437(3) Cr.P.C. meticulously.

Certified copy as per rules.

**(Alok Verma)
Judge**

Kratika/