

**MCRC-13061-2015**

*(PRAKASH Vs THE STATE OF MADHYA PRADESH)*

**31-08-2015**

Shri M.K. Sulakhe, counsel for the applicants.

Shri Ajay Tamrakar, Panel Lawyer for the State/  
respondent.

Heard the learned counsel for the parties.

The applicants are in custody since 22.7.2015 relating to Crime No.291/2015 registered at Police Station Rampayali, District Balaghat for the offences punishable under Sections 304(B), 498 (A), 34 of IPC and Section 3 & 4 of the Dowry Prohibition Act.

Learned counsel for the applicants submits that the applicants are the reputed citizens of the locality, who do not have any criminal past alleged against them. The deceased was the sister-in-law of the applicants who died after thirteen months of her marriage. After her death the parents and the relatives of the deceased have made omnibus allegations against the family members of the husband including the applicants. The applicants have filed a copy of the ration card to show that the deceased and her husband were residing with the parents of the applicant No. 1 in a separate house. There was no day to day interference of the applicants in the family life of the deceased and her husband. No alleged offence is made out against the applicants. The applicants have been falsely

implicated in the matter. Consequently, they pray for bail.

Learned panel lawyer for the State opposes the application.

Considering the submissions made by learned counsel for the parties, looking to the facts and circumstances of the case including the gravity of offence, without expressing any view on the merits of the case, I am of the view that application under Section 439 of the Cr.P.C. filed by the applicants viz. **Prakash and Geeta Bai** may be accepted. Consequently it is hereby allowed.

It is directed that the present applicants be released on bail on furnishing a bond in sum of **Rs.40,000/- (Rupees Forty Thousand) each** with one surety bond of the same amount to the satisfaction of the Committal Court, Waraseoni, to appear before the Committal Court and the trial Court on the dates given by the concerned Courts.

This order shall be effective till the end of trial but in case of bail jump, it shall become ineffective.

Certified copy as per rules.

(N.K. GUPTA)  
JUDGE