

MCRC-7112-2016

(RAMCHANDRA Vs THE STATE OF MADHYA PRADESH)

29-07-2016

Shri Rishi Tiwari, learned counsel for the petitioner.
Shri Bhuwan Deshmukh, learned counsel for the respondent-State.

This is an application under Section 439 Cr.P.C. by the petitioner â Ramchandra, who has been arrested on 16.05.2016 in Crime No.73/2016 of Police Station â Sagor, District - Dhar concerning offences under Section 498A and 304B/34 of IPC.

It is alleged that Reena, the daughter-in-law of the petitioner consumed poisonous substances on 02.05.2016 at her parental house, leading to her death on the next day. During investigation, it was found that she allegedly, had complained to her parents that her in-laws are harassing her and demanding dowry for purchase of a motorcycle. However, on perusal of order dated 13.07.2016, a copy of which has been filed alongwith the present petition, it transpires that parents of the deceased appeared before the trial court on 13.07.2016 and submitted that they have no grievance against the in-laws of the deceased.

Learned counsel for the petitioner submits that the co-accused Smt. Dariyao Bai, the mother in-law of the deceased, has already been granted anticipatory bail by this Court vide order dated 16.06.2016 passed in MCRC No.5130/2016. Hence, prays for grant of bail to the present petitioner on parity also.

Though the learned counsel appearing for the respondent/State has opposed the prayer for bail to the present petitioner, however, looking to the aforesaid factual matrix, without further commenting on the merits of the case, it would be appropriate to enlarge the petitioner on bail.

Accordingly, the petition is hereby allowed and it is directed that on furnishing personal bond by the petitioner in the sum of **Rs.40,000/-(Rupees Forty Thousand Only)**, with one solvent surety in the like amount to the satisfaction of the Chief Judicial Magistrate, Dhar, the petitioner - Ramchandra shall be released on bail subject to the condition that he shall make himself available to the Police, as and when required during investigation and will also remain present before the trial Court as and when directed in that behalf.

Certified copy as per rules.

(VED PRAKASH SHARMA)
JUDGE

