

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 616 of 2022**

1. Mohd. Husruddin @ Nasruddin S/o Late Shri Mubarak Ali, aged about 25 years R/o Village Naranpur, P. S. Meldi, District (Revenue And Civil) Chapra Bihar, At Present R/o Nageshwar Nagar, Beergaon, P. S. Urla, Raipur District (Civil And Revenue) Raipur Chhattisgarh.
2. Mohd. Saheb S/o Late Mubarak Ali, aged about 33 years R/o Village Naranpur, P. S. Meldi, District (Revenue And Civil) Chapra Bihar, At Present R/o Nageshwar Nagar, Beergaon, P. S. Urla, Raipur District (Civil And Revenue) Raipur Chhattisgarh.
3. Mohd. Shamsuddin S/o Late Shri Mubarak Ali, aged about 30 years R/o Village : Naranpur, P. S: Meldi, District (Revenue And Civil) Chapra Bihar, At Present R/o Nageshwar Nagar, Beergaon, P. S. Urla, Raipur District (Civil And Revenue) Raipur Chhattisgarh

**---- Applicants**

**Versus**

State of Chhattisgarh through Station House Officer, P. S: Urla, District Raipur Chhattisgarh

**---- Respondent**

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For Applicants : Mr. Yogesh Chandra Pandey, Advocate.  
For Respondent/State : Mr. G.P. Kurre, P.L.

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**Hon'ble Shri Justice Arvind Singh Chandel**

**Order On Board**

**31.03.2022**

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 338/2021, registered at Police Station – Urla, District- Raipur (C.G.) for the offence punishable under Section 304-B/34 of IPC and Section 3 and 4 of Dowry Prohibition Act.
2. As per the prosecution story, on 03.09.2021, the deceased Noorjahan @ Gudiya, committed suicide by hanging herself in her matrimonial house. Allegations against the present applicants is that they along with other co-accused persons and husband of the deceased tortured the deceased on account of demand of dowry due to which she committed suicide. On the basis of said, the matter was reported. The applicants were arrested on 16.11.2021.
3. Learned counsel appearing on behalf of the applicants would submit that the applicants are falsely implicated in this case. There are only general allegations made against the present applicants, the main allegations regarding demand of dowry is against husband of the deceased. He submits that other allegations regarding cruelty are against the husband and mother-in-law of the deceased. The present applicants are brothers-in-law of the deceased and they are in jail since 16.11.2021, charge-sheet has been filed and trial will take some time. Therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the entire material available on record.
6. Considering the facts and circumstances of the case, particularly considering the fact that only general allegations have been made against the present applicants, they are in jail since 16.11.2021 and the main allegations regarding demand of dowry is against the husband of the deceased. Without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.

8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

**Sd/-**  
**(Arvind Singh Chandel)**  
**Judge**

Saurabh