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**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

**BEFORE
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA**

ON THE 18th OF MARCH, 2024

MISC. CRIMINAL CASE No. 6336 of 2024

BETWEEN:-

**BHURIBAI W/O SHRI SOHANLAL JI, AGED ABOUT 50
YEARS, OCCUPATION: HOUSEWIFE R/O RUNJI CHOPATI
GAUTAMPURA TEHSIL DEPALPUR DISTT. INDORE
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI MAKBOOL AHMAD MANSOORI, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE
OFFICER THROUGH POLICE STATION GAUTAMPURA
DIST. INDORE (MADHYA PRADESH)**

.....RESPONDENTS

**(BY SHRI VIRAJ GODHA, PANEL LAWYER)
(BY SHRI ROSHAN KUSHWAH, ADVOCATE FOR OBJECTOR)**

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*This application coming on for admission this day, the court passed the
following:*

ORDER

Heard with the aid of case diary.

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicant, in connection with FIR/Crime No.17/2024, Date:-(Not mentioned) registered at P.S.- Gautampura, District-Indore (M.P.) for commission of offence punishable under Sections 304-B and 34 of the IPC.

2. Prosecution story, in brief is that marriage of the deceased Kavita was solemnized with co-accused Narendra on 13/12/2017. On 18/01/2024 the deceased committed suicide by jumping from railway bridge. Marg intimation

was lodged. After Marg inquiry, an FIR was lodged against husband of the deceased, Narendra, Mother-in-law/ present applicant Bhuri Bai and father-in-law Sohanlal on 20/01/2024, wherein it is alleged that the applicant and co-accused persons harassed the deceased physically and mentally due to demand of dowry of Rs. 3,00,000/- therefore, the deceased had committed suicide.

3. Learned counsel for the applicant/ accused submits that, the applicant has not committed the offence and has falsely been implicated in the case. It is submitted that on 25/12/2023 and 13/02/2024, the deceased filed two written complaints but therein she levelled allegation against her husband that he batters her and bothers her after getting intoxicated. No allegation about demand of dowry has been levelled by her. It is also submitted that the deceased has not levelled any specific allegation against the present applicant. Mere omnibus allegations have been levelled in written complaint filed on 25/12/2023 as well as in this case. It is submitted that the applicant is a lady aged 50 years. She is suffering from mental disease. The applicant is in custody since 20/01/2024. After investigation chargesheet has been filed. Trial will take considerable long time for its disposal, therefore, it is prayed that the applicant be released on bail.

4. On other hand learned counsel for the non-applicant/State as well as learned counsel for the Objector have opposed the prayer and prayed for rejection of the application.

5. Having considered the rival contentions of the learned counsels for the parties, perused the case diary, also looking to the aforesaid facts and circumstances of the case and allegations made against the applicant, this court is of considered view that this is a fit case to grant bail to the applicant. Hence, without expressing any opinion on merit of the case, this application is **allowed**.

6. It is directed that the applicant- **BHURIBAI** be released on bail upon his/her furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of the concerned trial Court for his/her appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during pendency of the trial. It is further directed that applicant shall comply with the provisions of Section 437(3) of Criminal Procedure Code, 1973.

7. M.Cr.C. stands disposed of, accordingly.

C.c. as per rules.

ajit



(PRAKASH CHANDRA GUPTA)
JUDGE