

Dhuma Devi Vs. State

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Court : Rajasthan

Decided On : Feb-11-2008

Reported in : 2008(2)WLN243

Judge : Ajay Rastogi, J.

Appeal No. : S.B. Criminal Misc. Bail Application No. 7099/2007

Appellant : Dhuma Devi

Respondent : State

Judgement :

AJay Rastogi, J.

1. Heard learned Counsel for applicant as well as the learned Counsel for complainant and Public Prosecutor; and perused the material/record made available for perusal at the time of arguments.

2. Challan has been filed for offences under Sections 302/304-B/498A/120/ 120B IPC against present applicant who is mother in-law of deceased (Nisha). From statements of father and relatives of the deceased and so also of those who are neighbours residing nearby residence of her in-laws family, recorded under Section 161 Cr.P.C., which have been read over by Public Prosecutor and as per post mortem report, the deceased died because of strangulation and in the site

plan shown to this Court, height of the ceiling in the room (place) where deceased was lying at relevant time, was only 5ft.

3. Taking into consideration all the facts and circumstances and without expressing any opinion on merits of the case, this Court does not find justification for grant of post-arrest bail under Section 439, Cr.P.C. to accused applicant (Smt. Dhuma Devi).

4. Consequently bail application stands dismissed.

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