

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO. 3850 of 2015**

Kartiko Ratnakar S/o Heeradhar Ratnakar, aged about 53 years, R/o Village Sukhapali, Police Station Saraipali, Tahsil Basna, Civil and Revenue District Mahasamund, District Mahasamund (CG)

---Applicant

Versus

State of Chhattisgarh Through : Station House Officer, police of Police Station – Saraipali, District-Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10/08/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 438 of 2014, registered at Police Station- Saraipali, Distt. Mahasamund (C.G.), for the offence punishable under Section 304-B read with Section 34 of the IPC.

2. Case of the prosecution, in brief, is that the marriage of deceased Sunita was solemnized with the applicant's son Bhuvneshwar on 6-5.2011 and soon after the marriage, present applicant and his son started harassing and treated her with cruelty in connection with demand of dowry as a result of which she committed suicide on 18.1.2013 within three years from the date of marriage.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and he has been falsely implicated in this case. He would further submit that the present applicant aged about 53 years is father-in-law of the

deceased and he has no role in the crime in question. There are general and vague allegations against the present applicant. He would also submit that the charge-sheet has already been filed and the applicant is in jail since 25.3.2015 and therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant is involved in the crime in question being father-in-law of the deceased.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; there are general and omnibus allegations against the present applicant and considering the fact that charge-sheet has already been filed and the applicant, aged about 53 years, is father-in-law of the deceased in jail since 25.3.2015, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-