

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6490 of 2015

Ashwant Baghel S/o Goverdhan Baghel Aged About 26 Years R/o
Village Bhurki, Tah. & P.S. Bemetara, Distt. Bemetara,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, P.S.
Bemetara, Distt. Bemetara, Chhattisgarh.

---- Respondent

For applicant - Miss. Sharmila Singhai, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/12/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 681/2013 registered in Police Station Bemetara, District Bemetara (C.G.) for offence punishable under section 304-B/34 of IPC.
2. As per the prosecution case marriage of the deceased Durga was solemnized with the applicant in the month of March, 2013 and she committed suicide by consuming poison within seven years of the marriage and prior to the date of incident she was subjected to torture by the applicant and the other co-accused for demand of dowry, thereby offence is committed.
3. Learned counsel for the applicant submits that father of the deceased Jogendar Khelvar and mother of the deceased Nirmala Bai Khelwar examined before the court below and in their cross examination this fact has come to fore that deceased was not subjected to any cruelty

for demand of dowry. It is further submitted that considering the statement, coordinate bench of this court has granted bail to the other co-accused Goverdhan Baghel in M.Cr.C. No.1562/2015 and she strenuously read out the para 9, 10 and 15 of the statement of witness Jogendar Khelvar and she further submits that since other co-accused has been enlarged on bail, this applicant is also entitled to be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the statement of the witness as also order passed by the coordinate bench of this court. Having regard to the fact that on similar facts other co-accused have been enlarged on bail, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE