

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3235 OF 2015**

Shubham S/o Ramayan Prasad Namdev, aged about 19 years, R/o Village Sarai Singar, Police Station Kusmunda, Civil and Revenue District Korba (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Kusmunda, District Korba Chhattisgarh.

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/07/2015**

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. 90/2015, registered at Police Station Kusmunda, District Korba (C.G.), for the offence punishable under Section 304 (B), 34 of I.P.C.

2. Case of the prosecution, in brief, is that the marriage of deceased-Pratima was solemnized with the brother of the applicant on 10/05/2014. Immediately after the marriage, the applicant and other two co-accused persons started harassing the deceased by treating her with cruelty on the pretext of demand of dowry and on this account, she committed suicide by burning herself on 05/05/2015 and thereby, the applicant committed the above offence.

3. Learned counsel for the applicant submits that other co-accused

person has played the similar role as that of the present applicant and other co-accused person namely Smt. Godawari Bai already granted regular bail by this Court vide order dated 08/06/2015 passed in M.Cr.C. No. 2752/2015 and the role played by the present applicant is identical to that of the other co-accused person. Therefore, the present applicant may also be released on regular bail on the ground of parity.

4. On the other hand, learned counsel for the State submits that case of the present applicant is identical to other co-accused person, who has granted bail by this Court vide order dated 08/06/2015 passed in M.Cr.C. No. 2752/2015.

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 particularly the order passed by this Court on 08/06/2015 in M.Cr.C. No. 2752/2015 granting regular bail to the other accused person, this Court is of the opinion that present is the 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. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of **Rs.25,000/-** along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

