

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3945 of 2015**

Pramod Kumar, aged about 31 yers, S/o Shri Bhagirathi Satnami, Caste Satnami, R/o Jai Bhagwan Gali, Darri, Thana Darri, District Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through District Magistrate, District Korba (C.G.)

---- Non-applicant

For Applicant	:	Shri Arvind Shrivastava, Advocate
For Non-applicant	:	Shri Anupam Dubey, Deputy Govt. Advocate for the State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**17/08/2015****(1)** Heard.

(2) 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 on 15.05.2015 in connection with Crime No.51/2015, registered at Police Station Aarakshi Kendra Darri, Korba, for the offence punishable under Section 304-B of the Indian Penal Code.

(3) Case of the prosecution, in brief, is that deceased Baby Banjare committed suicide on 07.02.2015 within two years of marriage on account of cruelty in connection with demand of dowry by the present

applicant and, thereby the applicant committed the aforesaid offence.

(4) Learned counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He further submits that Rs.20,000/- was given to the applicant for constructions of house as there is no demand of dowry and also further submits that applicant is in jail since 15.05.2015; and the charge-sheet has already been filed and no useful purpose will be served in keeping him in jail, therefore, the applicant may be released on bail.

(5) On the other hand, learned counsel for the State would submit that there is demand of dowry by the present applicant and the material collected by the prosecution available in the case diary and the deceased committed suicide by hanging within two years of her marriage and therefore, he is not entitled for bail.

(6) Taking into consideration the nature and gravity of the offence; material collected by the prosecution regarding demand of dowry and the manner in which the deceased Baby Banjare committed suicide by hanging within two years of her marriage, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

(7) Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-