

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2710 of 2015**

Chhatram S/o Luturam Dewangan Aged About 55 years R/o
Village - Katgi, P.S. Kasdol, Civil & Revenue Distt. Balodabazar
- Bhatapara Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through, S.H.O. Police Station Kasdol,
Distt. Balodabazar Bhatapara Chhattisgarh

---- Respondent

For Applicant:	Shri A.S. Rajput, Advocate.
For Non-applicant:	Shri Lov Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 168/2015 registered at Police Station Kasdol, Distt. Balodabazar-Bhatapara for the offence punishable under Section 306/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that deceased – Kavita Dewangan, who is married with the applicant on 17.05.2014, is alleged to have committed suicide by burning on 18.12.2014 on account of instigation/abetment made by the present applicant and, thereby, committed the aforesaid offence.

(3) Counsel for the applicant submits that applicant is father-in-law of the deceased; he has falsely been implicated in the offence in question as there is no evidence on record to connect the applicant with the crime in question; applicant is in jail since 14.04.2015; and the charge sheet has already been filed and, therefore, applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that deceased died within seven months of her marriage with the present applicant on account of cruelty and the abetment extended to her and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and further considering the material collected by the prosecution against the applicant as well as the fact that deceased died within seven months of the marriage, I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

(6) Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-