

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4087 of 2015**

Nehru Lal Banjare s/o Khikram Banjare, Aged about 45 years, R/o village Tata, Police Station-Sarsiwa, Distt.Baloda Bazar Bhatapara (CG)

---Applicant**Versus**

State of Chhattisgarh Through the Police Station House Officer – Sarsiwa, Post Office-Sarsiwa, Distt.Baloda Bazar-Bhatapara (CG)

---Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/08/2015**

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.122/2015, registered at Police Station-Sarsiwa, District Baloda Bazar-Bhatapara (C.G.), for the offence punishable under Sections 498A and 307 of the IPC.

2. Case of the prosecution, in brief, is that on 10.5.2015 the present applicant and co-accused assaulted complainant Smt.Sukh Mati Banjare demanding dowry, by which she suffered grievous injuries, which were sufficient to cause her death and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is no allegation of strangulation against the present applicant and it is against the husband, therefore, he may

be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; also considering the fact that the applicant is father-in-law of the complainant aged about 45 years, his pre-trial detention, the fact that charge-sheet has already been filed and role of the present applicant, 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.

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/-