

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6379 of 2015

Neelamber Yadav, S/o. Khema Yadav, Aged About 26 Years, Caste-
Mahkul, R/o. Village- Kandora, Thana & Tahsil- Kunkuri, Civil & Revenue
District- Jashpur (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station-
Kunkuri, Civil & Revenue District- Jashpur (Chhattisgarh)

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.166/2015 registered at Police Station- Kunkuri, District Jashpur (C.G.) for the offence punishable under Section 306/34, 304-B of Indian Penal Code.
2. As per the prosecution case, in brief, the wife of the applicant namely Rishna Yadav committed suicide by consuming poison and it was alleged that the applicant has abated her to commit suicide as she was continuously harassed for demand of dowry of Rs.16,000/- and some more amount, total Rs.50,000/- for purchase of bike.
3. Learned counsel for the applicant submits that the marriage of the applicant was performed on 20.05.2010 and there is no abatement for demand of dowry as out of the marriage two children were

born. Therefore, he has been falsely implicated. He further submits that there has been some dispute arose between the husband and wife as the husband used to come late in the house.

4. Per contra, learned State counsel opposes the prayer for grant of bail and he would submit that there has been a demand of dowry and because of that she committed suicide.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have gone through the case diary and the merg statement. In the merg statement primarily it appears that there has been some dispute occurred in between the husband and wife since he used to come late and further a dispute had also appears to have taken place in between the deceased and her father-in-law and considering the evidence available and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-
(Goutam Bhaduri)
Judge