

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6931 of 2015

1. Araval Raj Paikra, S/o. Sukhram Paikra, aged about 23 years, R/o. Village-Khajuriadih, Police Station- Chando, Revenue District – Balrampur, Civil District – Sarguja (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station, Chando, District – Balrampur (C.G.)

---- Respondent

For Applicant	: Ms. Indira Tripathi, Advocate
For Respondent/State	: Mr. O.P. Sahu, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/12/2015

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.17/2015, registered at Police Station – Chando, District – Balrampur (C.G.) for the offence punishable under Section 304-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant was married to the deceased, Anju in the year 2014 and subsequently, she was subjected to torture for demand of dowry, consequently she died by burn on 10.06.2015.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. She would further submit that as per the prosecution, the deceased used to talk to Vinit, the brother and Rajkumari and Jagatram, mother and father and stated that whatever talks have been made it was with the Vinit, wherein it was stated that she was subjected to torture, however, the statement of Vinit do not

support the same fact and the mouree was lodged by the applicant. She would further submit that the charge sheet in this case has been filed and the applicant is in jail since 27.06.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and relied on the statement of one Vidya Bhushan Patel and prayed that the applicant may not be released on bail .
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have perused the statement of father, mother and sister, wherein primary allegation has been made that after consuming liquor, the applicant used to beat and because of such fact, dispute arose. Categorical statement of demand of dowry has not been made. Considering the statement without any observation on merits, this Court is of the opinion that present is a 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 his 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/-
(Goutam Bhaduri)
Judge