

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5289 of 2015

Khema Yadav, S/o Shri Kurso Yadav, aged about 50 years, by Caste Mahkul, R/o Village Kandora, Thana & Tahsil Kunkuri, Civil & Revenue District Jashpur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through the Station House Officer, Police Station Kunkuri, Civil & Revenue District Jashpur (C.G.)

---- Non-applicant

For Applicant:	Mr. Sunil Sahu, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/10/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.166/2015, registered at Police Station Kunkuri, Distt. Jashpur, for the offence punishable under Section 306 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that marriage of the applicant's son namely Neelambar Yadav was solemnized with Rishna Yadav on 20-5-2010 and immediately thereafter, the applicant and his son started harassing Rishna Yadav with cruelty by demanding dowry of Rs.16,000/- and some more amount, total Rs.50,000/-, for purchase of bike, and out of frustration and humiliation, she committed suicide on 12-5-2015.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The

applicant is father-in-law of Rishna Yadav, there is no demand of dowry alleged against the present applicant and there are general and omnibus allegations against the present applicant. The applicant, who is aged about 50 years, is in jail since 6-9-2015 and charge-sheet is yet to be filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, allegation against the applicant, role of the applicant, his pretrial detention and charge-sheet is yet to be filed, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge