

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5527 of 2015**

Raj Kumar Nishad S/o Shri Mahesh Ram Nishad, aged about 38 years, (Ila Bhatta Labour), Resident of Village-Bhilouni, Thana Masturi, Tahsil-Masturi, Civil District Bilaspur (Chhattisgarh)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Masturi, District Bilaspur (Chhattisgarh)

---Non-applicant

For Applicant	:	Mr. Ashok Verma, Advocate
For Non-applicant	:	Mr. O.P.Sahu, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

13/10/2015

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.266/2015, registered at Police Station-Masturi, District-Bilaspur (C.G.), for the offence punishable under Section 304B/34 of the IPC.
2. Case of the prosecution, in brief, is that marriage of deceased Rajmati was solemnized with Veeras Kewat in the year 2013 and immediately after the marriage the present applicant along with relatives of the deceased started harassing her and treated her with cruelty in connection with demand of dowry and on account of such humiliation and frustration she committed suicide on 15.8.2015.
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 the present applicant is not having any

relation with the deceased. He has nothing to do with family of the deceased. He is in jail for fairly long time and charge-sheet has already been filed.

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 the offence, relationship of the applicant with the deceased, allegation against the present applicant is general and vague, his pre-trial detention and the fact that charge-sheet has already been filed, 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/-

(Sanjay K. Agrawal)
JUDGE

B/-