

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5582 of 2015

Jagmohan Rathore, S/o. Bharat Lal Rathore, Aged about 42 years,
Lecturer, R/o. Village Singansara, P.S. & Tahsil Sakti, District Janjgir-
Champa (C.G.).

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station
Sakti, District Janjgir-Champa (C.G.).

---- Respondent

For Applicant : Mr. Ashok Soni, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/10/2015

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. 170/2015 registered at Police Station- Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Section 498-A & 323/34 of I.P.C.
2. Case of the prosecution is that the complainant Deepmala Rathore lodged an FIR alleging that she was harassed by the applicant on demand of dowry for motorcycle and subsequently the report was made and the applicant was arrested on 28.09.2015.
3. Learned counsel for the applicant submits that this is the second marriage of the applicant because the first wife of the applicant died due to cancer. He further submits that there was no question for demand of dowry and the applicant has falsely been

implicated in this case and the charge sheet has been filed, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the investigation is completed and the charge sheet has been filed and the offence is triable by the JMFC, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned trial Court. He is directed to appear before the trial court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge