

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.611 of 2016

Vishnu Bhoy, S/o Shri Ratan Bhoy, aged about 25 years, Caste Sawra,
R/o Village Pardhiyapali, PS Dongripali, Tahsil Barmkela, Distt. Raigarh,
Civil & Revenue Distt. Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Dongripali, Distt. Raigarh (C.G.)

---- Non-applicant

For Applicant:	Mr. Dheerendra Pandey, Advocate.
For Non-applicant:	Mr. D.R. Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/02/2016

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.27/2015, registered at Police Station Dongripali, Distt. Raigarh for the offence punishable under Section 304B of the IPC.
2. Case of the prosecution, in brief, is that marriage of the applicant was solemnized with deceased Kanak Bhoi one and half years prior to 23-8-2015 and immediately after marriage, the applicant started harassing her demanding dowry by which she committed suicide by hanging on 23-8-2015.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. There is no evidence of demand of dowry and no evidence of assault by the applicant. Death has not occasioned in the matrimonial house. The applicant is in jail since 6-10-2015 and

charge-sheet has been filed. Brother of the deceased Naresh Bhoi has been examined in the Court as PW-1 and he has not supported the case of the prosecution.

4. On the other hand, learned State counsel opposes the application stating that within one and half years of marriage, on account of the cruelty meted out to the deceased, she committed suicide by hanging and there is evidence of demand of dowry by the present applicant.
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, evidence of Naresh Bhoi, the fact that death occurred within one and half years of marriage, evidence available in the case diary and evidence brought before the trial Court, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge