

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1809 OF 2016**

Chhat Ram Kenwat S/o Jagat Ram Kenwat aged about 32 years R/o village Dhangaon Police Station Balconagar Tahsil Korba Civil and Revenue District Korba C.G.

---Applicant**Versus**

State of Chhattisgarh, Through District Magistrate/Station House Officer, Police Station Balconagar, District Korba C.G.

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/04/2016**

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. 354/2015, registered at Police Station Balconagar, District Korba (C.G.), for the offence punishable under Section 306, 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, Smt.

Khantibai- daughter-in-law of the applicant committed suicide on 06/10/2015 on account of abatement, instigation and demand of dowry extended by present applicant and other co-accused persons and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that present applicant is brother-in-law of the deceased. He would further submit that applicant neither harassed nor demanded dowry. He would further submit that charge sheet has been filed and applicant is in jail since 07/12/2015. He would lastly submit that other co-accused persons have already been enlarged on regular bail by this Court in M.Cr.C. No. 953/2016 on 03/03/2016, therefore, he may be released on bail on the ground of parity.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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 offence; role of the present applicant in offence in question; his relation with the deceased; other co-accused persons have already been enlarged on regular bail and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure 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