

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2909 of 2016

- Sant Ram Kenwat S/o Jagat Ram Kenwat Aged About 28 Years R/o Village Dhangaon, Police Station Balconagar, Tehsil Korba, Civil & Revenue District Korba, Chhattisgarh.

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Versus

- State of Chhattisgarh through Station House Officer, Police Station Balconagar, District Korba, Chhattisgarh.

Respondent

For the applicant	:	Mr. Dharmesh Shrivastava, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 354/2015 registered at P.S. BALCO Nagar, District Korba (C.G) for the offence punishable under Sections 306, 34 IPC.
2. As per the prosecution case, deceased Kanti Bai was married to the present applicant 3-4 years prior to the date of incident. Kanti Bai committed suicide on 06.10.2015 on account of abetment, instigation and demand of dowry caused by the present applicant and other accused, thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has not abetted the offence and he has been falsely implicated in this case. He further submits that in similar set of facts, the other co-accused have been granted regular bail by the co-ordinate Bench of this Court in M.Cr.C. No.

953/2016 & M.Cr.C.No.1809/2016 and the case of the present applicants is similar to that of co-accused. He further submits that the charge sheet has been filed and the applicant is in jail since 07.12.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he does not dispute the fact that co-accused have been granted regular bail in M.Cr.C.No.953/2016 & M.Cr.C. 1809/2016.
5. Considering the totality of circumstances and further taking into consideration the nature and gravity of offence and the fact that similarly placed co-accused have been granted bail by the coordinate bench of this Court as also the fact that the charge sheet in this case has been filed, investigation is complete and further looking to the period of detention of the applicant as he is stated to be in jail since 07.12.2015, I am inclined to enlarge the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**