

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3217 of 2016

1. Tilochan Kumar Jangade, S/o. Ganesh Ram Jangade, aged about 30 years, Caste-Satnami, R/o. Village-Sakreli (Baradwar), Police Station – Baradwar, Civil and Revenue District – Janjgir-Champa (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District Magistrate/Station House Officer, Police Station – Baradwar, District – Janjgir-Champa (C.G.)

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/07/2016

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.389/2015, registered at Police Station – Baradwar, District – Janjgir-Champa (C.G.) for the offence punishable under Section 304 (B) of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Meena Bai died because of burn injury within 7 years of marriage. It is alleged that the applicant, who is the husband of the deceased used to torture the deceased for demand of dowry. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the deceased was not the legally wedded wife of the applicant and she was staying along with the applicant. It is further submitted that the applicant has not inflicted any cruelty to the deceased for demand of dowry. He further submits that charge-sheet in this case has been filed and the applicant is in jail since 16.12.2015, therefore, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statement. Perusal of the case diary shows that first statement was recorded on 24.11.2015 and taking into such statement, 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/-
(Goutam Bhaduri)
Judge