

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3745 of 2016**

- M. Bharat Rao S/o Appal Raju Rao Aged About 45 Years R/o Forest Colony, P.S. Kotwali, Jagdalpur, Jagdalpur, Civil & Revenue District Bastar Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station Kotwali, Jagdalpur, District Bastar Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Arun Kochar, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****18.07.2016**

(1) The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.402/2013 registered at Police Station-Kotwali, District Bastar (C.G), for offence punishable under Section 304(B)/34 of IPC.

(2) As per the prosecution story, deceased Vijeta Panigrahi was married to one Gunesh Panigrahi on 14.12.2012. Subsequently, the deceased was subjected to cruelty for demand of dowry. Thereafter, on 17.10.2013, the deceased jumped from the bridge of river Indravati and died. Subsequently, her dead body was recovered and 11 injuries were found on her body, which were found to be ante-mortem in nature. It is further alleged that the applicant who is brother-in-law deceased used to visit the house of deceased and used to torture her for demand of dowry, therefore, a case was registered.

(3) Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as he was residing separately and there was no occasion for him to go to the house of the deceased and make demand of dowry. He would further submit that only general allegations have been leveled against this applicant. It is further submitted that co-

accused Smt. Sundanda Panigrahi and others against whom, similar allegations have been levelled have been enlarged on bail by this Court by order dated 30.04.2014 passed in M.Cr.C. No.1997 of 2014 and the allegations against the present applicant are the same. He also submits that the applicant has surrendered on 12.06.2016; charge sheet in this case has already been filed and no further evidence is necessary and considering the role played by the applicant, he may be enlarged on bail.

(4) Per contra, the learned State counsel opposes the prayer for grant of bail. However, he do not dispute the fact that the allegations against the present applicant are similar to that of co-accused Smt. Sundanda Panigrahi & others who have been enlarged on bail by order dated 30.04.2014 in M.Cr.C.No. 1997/2014.

(5) Considering the fact that the applicant has surrendered on 12.06.2016 and similarly placed accused Smt. Sunanda Panigrahi & others have been enlarged on bail by this Court in M.Cr.C. No.1997/2014, I am inclined to release this applicant also on 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 a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial court on each and every date given by the said Court.

Certified copy as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**