

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4607 of 2016

1. Chandan Kumar, aged 31 years, S/o. Shri Rajdev Singh, R/o. Village – Babhangama, P.S. - Navkothi, District – Begusarai (Bihar), Presently R/o. Wireless Operator, Signal Battalion, Zero Point, Vidhan Sabha Road, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : P.S. -Civil Lines, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. Devarshi Thakur, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/09/2016

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.210/2016, registered at Police Station – Civil Lines, District – Raipur (C.G.) for the offence punishable under Section 304-B of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the present applicant was married to one Preeti on 13.05.2011 and out of their wedlock, a girl child was born and Preeti was committed suicide by hanging on 07.04.2016 and the report was made by the mother of the deceased that the present applicant, who was the husband of the deceased used to torture the deceased for demand of dowry, therefore, she

committed suicide.

3. Learned counsel for the applicant submits that Smt. Sadhana Devi, complainant and brother-in-law, Anand have been examined before the Court and they have not supported the case of the prosecution instead had stated that the applicant used to keep the deceased with all comfort, therefore, the counsel submits that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that mother of the deceased, Smt. Sadhana Devi has not supported the case of the prosecution.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of Smt. Sadhana Singh and Anand, they have not supported the case of the prosecution. Considering the statements, without any further observation on merits, 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