

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2996 of 2016

Chaytram Dhankar, S/o. Late Ram Bharosa, Aged About 66 Years, R/o.
Village Patan, Police Station & Tahsil Patan, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate Durg, District Durg,
Chhattisgarh

---- Respondent

For Applicant : Mr. Praveen K. Dhurandhar, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.03/2016 registered at Police Station Patan, District Durg (C.G.) for the offence punishable under Section 304B, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased Nirmala Bai was married to Brijnandan on 20.04.2010 and subsequently, she was subjected to torture for demand of dowry by the applicant and the other co-accused, thereby, she committed suicide by setting herself ablaze on 18.12.2015.
3. Learned counsel for the applicant would submit that the present applicant was residing separately as would be evident from the statement of Ajay Meshram and Kumari Bai and only the general allegations have been attributed and initially on the first statement recorded of father on 25.12.2015 no allegation of demand of dowry

has been attributed to this applicant, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement. In the initial statement recorded of father on 25.12.2015, it is stated that the applicant used to instigate the husband and the main allegation is attributed to the husband Brijnandan. One of the witness Ajay Meshram stated that the applicant was residing separately for last one year. Taking into totality of the facts and circumstances and the allegation against this applicant and further considering the fact that the applicant is 66 years of age and he is in jail since 05.02.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge