

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3128 of 2016

Bharat Bhushan Sinha, S/o. Shri Budhram Sinha, Aged About 24 Years,
R/o. Village Khairjhiti, Police Station Ghumka, District Rajnandgaon,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate Rajnandgaon, District
Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.07.2016

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.19/2016 registered at Police Station- Ghumka, District Rajnandgaon (C.G.) for the offence punishable under Section 304-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 29.01.2016, Tukeshwari Sinha sustained severe burn injury and she died on 02.02.2016. The prosecution case is that before the incident the deceased was subjected to torture for demand of dowry and the applicant used to demand Rs.10,000/- and other household goods, therefore, she died in an unnatural circumstances.
3. Learned counsel for the applicant would submit that the applicant has demanded Rs.10,000/- loan which was given to the mother-in-law of the deceased which was taken from the sister and the same was not being returned, as such, the demand of Rs.10,000/- was

made and it cannot be stated to be a dowry; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that before the incident on 28.01.2016 a meeting took place in the village as the deceased was subjected to cruelty by the applicant.
5. Perused the statement of the mother Rajkumari which was recorded wherein the allegations have been attributed, therefore, considering such statement, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge