

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3272 of 2016

1. Deepak Kumar, S/o. Dhaniram, Aged About 24 Years.
2. Dhaniram, S/o. Gaharu, Aged About 50 Years.

Both are R/o. Village - Kotrahi, Thana - Basantpur, District - Balrampur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through - Station House Officer, Police Chowki- Wadrafnagar, P.S. Basantpur, District Balrampur, Chhattisgarh

---- Respondent

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MCRC No. 3274 of 2016

1. Ku. Prema, D/o. Dhaniram, Aged About 25 Years.
2. Manmati, W/o. Dhaniram, Aged About 45 Years.

Both are R/o. Village - Kotrahi, Thana - Basantpur, District - Balrampur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through - Station House Officer, Police Chowki- Wadrafnagar, P.S. Basantpur, District Balrampur, Chhattisgarh

---- Respondent

For Applicants : Mr. Vinay Pandey, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.07.2016

1. These are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.38/2016, registered at Police Chowki- Wadrafnagar, Police Station- Basantpur, District Balrampur (C.G.) for the offence punishable under Section 498-A, 324, 506/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that Pushpa was married to Deepak Kumar on 05.05.2013 and she was subjected to torture for demand of dowry and subsequently she was assaulted by the applicants mainly by the sister-in-law and mother-in-law and some burn injury was also caused and the dowry of Gas Burner & Cylinder was demanded.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and the incident of demand of dowry as alleged was one year old. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Taking into fact that the charge sheet has been filed and the statement has already been recorded and further considering the facts and circumstances of the case and the fact that the applicants are in jail since 02.05.2016, I am inclined to release the applicants on bail.
6. Accordingly, both the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge