

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3358 of 2016

Firat Ram Miri, Aged About 38 Years S/o Jhaduram R/o Saraipali
(Uchchbhitthi), Police Station Urga, Tahsil & District Korba,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Urga, District Korba, Chhattisgarh.

---- Respondent

For applicant - Shri Anil Tripathi, Advocate.
For Respondent/State – Shri Satish Gupta, GA.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.265/2015 registered in Police Station Urga, District Korba (C.G.) for offence punishable under sections 498 (A), 304(B), 34 of Indian Penal Code.
2. As per the prosecution case deceased Reshma Bai was married to the applicant before three years of the date of incident on 12/03/2015. She consumed poison and committed suicide. It is case of the prosecution that deceased was subjected to cruelty for demand of motorcycle by the applicant and therefore she committed suicide.
3. Learned counsel for the applicant submits that no allegation for demand of dowry was attributed to this applicant who is the husband as the statement of the mother was recorded immediately on 12/03/2015 but actually suicide was committed because she was not able to conceive. Therefore he submits that under the facts of the case the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of Teerath Bai mother of the deceased which was recorded immediately after the incident on 12/03/2015. Statement would reveal that no allegation have been attributed to this applicant and it is stated that deceased was not able to conceive. Considering the subsequent statement and also taking into facts and circumstances of the case, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE