

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4984 of 2016

Lilaram Mankar, S/o. Gannuram Mankar, Aged About 23 Years, R/o. Village Chilhati, P.S. Korar, Civil & Revenue District North Bastar, Kanker, Chhattisgarh. (Complete name of the applicant and his father are not mentioned in the order impugned).

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Korar, District Kanker, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

31.08.2016

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.147/2015 registered at Police Station Korar, Distt. Kanker (C.G.) for the offence punishable under Section 304 (B) of Indian Penal Code.
2. As per the prosecution case, the deceased Kamleshwari committed suicide by consuming poison and she died on 01.05.2015. It is alleged that the applicant had treated the deceased with cruelty and demand of Rs.10,000/- was made for dowry, therefore, she committed suicide and died in unnatural circumstances; thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant is the husband and the date of marriage is 03.05.2014 and till the date no allegations were attributed for demand of dowry. It is submitted that the applicant used to consume liquor and that might have been the cause which cannot be equated with the demand of

dowry, therefore, considering the facts and circumstances of the case, the applicant 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 statement of Leelaram & Khileshwari. On perusal of the statement, primary it appears that the applicant used to beat the deceased and also was doubting her character. Considering such allegation and statement, without any observation on merit, 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