

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4969 of 2016

1. Hem Kumar S/o Shyam Lal Sahu Aged About 30 Years R/o Village Darang, P.S. Champa, District Janjgir Champa, Chhattisgarh.
2. Dinesh Kumar Sahu S/o Shyam Lal Sahu Aged About 34 Years R/o Village Darang, P.S. Champa, District Janjgir Champa, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through District Magistrate, P.S. Champa, District Janjgir Champa, Chhattisgarh. **Respondent**

For the applicant	:	Mr. Hanuman Prasad Agrawal, Adv.
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 356 of 2008 registered at P.S. Champa, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 498-A, 494, 506, 34 of IPC.
2. As per the prosecution case, a report was made by complainant Uttara Kumari that she was married to Applicant No.1 Hem Kumar and thereafter she was subjected to torture for demand of dowry and the demand was made by all the family members. It is further alleged that applicant No.2 Dinesh who is brother-in-law (Jeth) has also demanded the dowry. It is also submitted that second marriage was performed by applicant No.1, therefore, the offence was committed.
3. Learned counsel for the applicant would submit that the

charge sheet in this case has been filed and no further investigation is necessary and the applicants are in jail since 27.5.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the totality of facts and circumstances especially the fact that the charge sheet in this case has been filed and the applicants are stated to be in jail since 27.5.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**