

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5158 of 2016

Sunesh Kanojiya S/o Siya Ram Kanoujiya Aged About 25 Years R/o Sayahi, P.S. Basantpur, District Balrampur, Civil District Surguja (Ambikapur), Revenue District Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Basantpur, District Balrampur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A.K. Prasad, Advocate.
For Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/09/2016

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. 66/2016, registered at Police Station- Basantpur (C.G.) for the offence punishable under Section 294, 506-B, 323, 498-A/34 of IPC.
2. As per the prosecution story the complainant Rita Kanojiya was married to the present applicant eight years back and she was subjected to physical and mental harassment on account of demand of dowry. On 02/06/2016, the applicant along with co-accused person threatened, abused and assaulted the complainant.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, charge-sheet has already been filed, no further investigation is necessary and the applicant is in jail since 10/06/2016; therefore, he may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the facts and circumstances of the case and particularly considering that the charge-sheet has already been filed and the applicant is in jail since 10/06/2016, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)

Judge

Rahul