

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5426 of 2016

- Lilesh Kumar Dewangan S/o Ganpat Dewangan Aged About 29 Years
R/o Mahakali Colliery, Prakash Nagar, Astbhuja Ward, Chandrapur,
Police Station Chandrapur, District Chandrapur, Maharashtra.

--- Applicant

Versus

- State of Chhattisgarh through Station House Officer, Police Station
Lalbag, (As Per Charge Sheet) District Rajnandgaon, Chhattisgarh.---

Respondent

For the applicant	:	Mr. Abhishek Sharma, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 103 of 2016 registered at P.S. Lalbag, Distt. Rajnandgaon (C.G) for the offence punishable under Section 304-B/34 IPC.
2. As per the prosecution case, one Sonia wife of the present applicant died in unnatural circumstances by burning. She was married to the present applicant on 24.4.2014. It was alleged that after the marriage she was subjected to cruelty for demand of dowry and she eventually died in unnatural circumstances, therefore, the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and earlier the applicant and the deceased had some inter-se dispute and no demand of dowry was ever made as there is no live linkage of demand of dowry to the death caused and the applicant has been falsely implicated in this case.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of father of the deceased Tej Ram Dewangan which was recorded on 23.04.2016 wherein it is stated that some dispute was existing between the husband and wife.
6. Considering the statement of Tej Ram and the overall facts and circumstances of the case, without any further observation, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE