

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1038 of 2016

- Vikas Singh S/o Shri Dinesh Singh Aged About 35 Years R/o Teachers Colony, B- 7 Mangala, Bilaspur P. S. Civil Line Bilaspur, District Bilaspur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh Through Police Station In Charge, Police Station Civil Line Bilaspur, District Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant : Mr. Manoj Mishra, Advocate.
For the State : Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.12.2016

1. Apprehending arrest in connection with Crime No. 342/2016 registered at Police Station Civil Line, Bilaspur, Distt. Bilaspur (C.G) for the offences punishable u/ss 304-B, 34 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, one Neha Singh has committed suicide on 06.06.2016 by hanging in her in-laws' house. It is alleged that she was married to the present applicant on 09.05.2015 and she was subjected to torture for demand of dowry and also the applicant has abetted the deceased to commit suicide because of his behaviour and the fact that the applicant has illicit relations with another lady.
3. Learned counsel for the applicant would submit that as per the statement of father of deceased, no demand of dowry was ever made and the allegation of illicit

relations would not make out a case under Section 304 IPC, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer.
5. Perused the case diary and the statements. It appears that the investigation is still going on. The applicant is husband. The father of deceased has stated in his statement that the applicant had illicit relations with one Renuka which was told by the deceased.
6. Considering the statement of father and the degree of allegations levelled against the applicant as there is demand of dowry as also the fact that the matter is under investigation, I am of the view that it is not a case where the applicant can be extended the benefit of provisions of section 438 Cr.P.C. Accordingly, the bail application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**