

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7000 of 2016

- Balram Jaiswal S/o Satish Jaiswal, Aged About 28 Years R/o Village Bhojpur, Police Station Chando, District Balrampur, Chhattisgarh. ---
Applicant

Versus

- State of Chhattisgarh through Station House Officer, Police Station Chando, District Balrampur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mrs. Pritha Ghoshal, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.11.2016

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. 24/2016 registered at P.S. Chando, Distt. Balrampur (C.G) for the offence punishable under Sections 304-B & 498-A of IPC.
2. As per the prosecution case, one Chanda Bai wife of the present applicant committed suicide by hanging on 13.07.2016. She was married prior to 4 years of the incident. It is alleged that she was subjected to torture for demand of dowry and consequently she died in unnatural circumstances on 13.07.2016. Therefore the applicant is accused of the said offence.
3. Learned counsel for the applicant would submit that the wife has left the house on account of some dispute between the wife and husband for which she filed an application u/s 125 Cr.P.C., as per Annexure A-2. She further submits that subsequently some compromise was effected between the

wife and husband and the wife again joined the matrimonial house. Thereafter the cordial relations between the husband and wife could not go long and she committed suicide by hanging and it is not the case that for any demand of dowry the suicide was committed which would be evidence from the statement of father Raghavendra Prasad, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents as also the statements of father of deceased Raghavendra Prasad, mother Smt. Kanti Devi and brother Pankaj.
6. Taking into consideration such statements of witnesses and the nature of allegations as also the fact that the charge sheet has been filed and the applicant is stated to be in jail since 27.7.2016, without any further observation on merits of the case, 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