

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8096 of 2016

- Sukhnandan Chandrawansi S/o Dwarika Chandrawansi Aged About 35 Years Occupation Agriculturalist, R/o Naurgaon Kala, Police Station Bodla, District Kabirdham, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bodla, District Kawardha, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. H.S. Ahuwalia, Advocate

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20-12-2016

1. This is first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 2-11-2016 in connection with Crime No. 149 of 2016 registered at Police Station Bodla, District Kawardha (CG) for the offence punishable under Sections 304/34 of the IPC.
2. Case of the prosecution, in brief, is that one Chitralkha Chandrawanshi committed suicide by consuming pesticide. She was married to Omprakash Chandrawanshi. It is alleged that deceased committed suicide because she was subjected to torture for demand of dowry and she died unnatural death within seven years of her marriage. It is also alleged that husband of the deceased had illicit relation with her sister-in-law.
3. Learned counsel appearing for the applicant would submit that present applicant is elder brother-in-law of the deceased and he was residing separately, therefore, no allegations can be attributed against the applicant. Only omni-bus allegations have been made. The main allegations have been attributed to Omprakash Chandrawanshi, husband of the deceased, therefore, false allegations have been attributed to the present applicant.

He would further submit that the applicant is in jail since 2-11-2016 and no further investigation is necessary, therefore he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statement of Kanta Chandrawanshi, mother of the deceased and Chadra Kumar, brother of the deceased wherein general and omnibus allegations have been attributed to the present applicant.
7. Taking into consideration all the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statements of mother and brother of the deceased and also the fact that the applicant is in jail since 2-11-2016, I am inclined to release the applicant on bail.
8. Accordingly, the application filed under Section 439 of the Cr.P.C., is allowed and it is directed that the applicant shall be released on bail on his 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju