

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 5717 OF 2017

Chintaram Verma, aged about 60 years, S/o Shri Nandram Verma R/o Village Kesli, Post Bhainsa, PS Suhela, Distt. Baloda Bazar (CG).

... **Applicant**

Versus

State of Chhattisgarh, through PS Suhela, Distt. Baloda Bazar (CG).

... **Respondent**

For Applicant	:	Shri Sunil Otwani, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/11/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 21.08.2017 in connection with Crime No. 340 of 2016 registered at Police Station Dharsiwa, Distt. Raipur for the offence punishable under Section 498-A and 313/34 IPC.
2. As per prosecution case, the appellant in connivance with the other co-accused persons is said to have harassed the complainant Poonam in demand of dowry and has also instigated the husband of the complainant for getting entered into second marriage.
3. Learned Counsel for the applicant submits that so far as present applicant is concerned, except for an allegation of instigating the husband of the complainant for entering into second marriage, there is no allegation of subjecting the complainant cruelty or ill treatment in demand of dowry, and therefore he may be enlarged on bail.

4. Opposing the bail application, learned Counsel for the State submits that there is an allegation of instigation of the husband of the complainant for entering into second marriage, and therefore the applicant may not be enlarged on bail.
5. Without commenting on merits, considering the totality of the facts and circumstances of the case particularly taking note of the fact that both in first complaint lodged by the complainant on 11.08.2016 and second on 31.08.2016, there being no allegation of ill treatment or harassing the complainant on the part of the present applicant, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge