

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6084 of 2017

- Nupesh Das Manikpuri S/o Shri Keju Das Manikpuri, Aged About 30 Years (Name Wrongly Mentioned Nripesh In Impugned Order), Occupation Labour R/o Village Gandhi Chowk Utai Tehsil - Durg (Wrongly Mentioned Patan) District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Utai District Durg Chhattisgarh

---- Non-applicant

For Applicant – Shri Avinash Chand Sahu, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-11-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 05-07-2017 in connection with Crime No.213/2017 registered at P.S. Utai, District Durg, C.G. for the offence under Section 498(A)/34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 05-07-2017. Hence, it is prayed that the applicant may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission made.
4. Heard learned counsel for both the parties and perused the case diary.
5. As per the case against the applicant, marriage of the applicant and the complainant was performed in the year 2010. A written complaint was given by the complainant, wife of the applicant on 30-06-2017, alleging in it that she was tortured and subjected to cruelty by her husband and in-laws to meet the

demand of dowry. Further her husband, the applicant is having illicit relationship with some other woman, on account of which the complainant is living separately from her husband, on the basis of this statement of the complainant, the case has been registered and investigated. Charge sheet has been filed.

6. Considering the submissions made and the contents of the case diary, I am of this opinion that this is a fit case where the applicant should be enlarged on bail.

7. Consequently, the application (MCRC No.6084/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge