

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.4487 of 2017**

Laxman Ram S/o Shri Lakhan Ram, aged about 31 years, R/o Village Bazarpara, P.S. Shankargarh, District Balrampur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Shankargarh, District Balrampur (CG).

---- Non-applicant

For Applicant	:	Mr. Rakesh Kumar Jha, Advocate
For Non-applicant	:	Mr. Arvind Dubey, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

17/07/2017**(1)** Heard.

(2) This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.120/2015, registered at Police Station Shankargarh, for the offence punishable under Section 306 of Indian Penal Code.

(3) The second bail application of the applicant was dismissed as withdrawn with liberty to repeat the same after examination of material prosecution witnesses by order of this Court dated 10.05.2016 passed in M.Cr.C. No.2279/2016.

(4) Case of the prosecution, in brief, is that marriage of Devmuni (deceased) was solemnized with Laxman Ram 10 years ago and immediately after the marriage the present applicant started harassing her in connection with demand of dowry and treated her with the

cruelty and ultimately, she consumed poison and committed suicide and thereby the applicant has committed the aforesaid offence.

(5) Learned counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 30.12.2015, charge-sheet has already been filed and no useful purpose will be served by keeping him in jail, therefore, the applicant may be released on bail.

(6) On the other hand, learned counsel appearing for the State opposes the bail application.

(7) I have heard learned counsel appearing for the parties and perused the case diary.

(8) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and further considering the pre-trial detention of the applicant and charge-sheet has been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(9) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

SD/-

(Sanjay K. Agrawal)
Judge

L/-