

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2054 of 2018**

Sunil Kumar Verma, S/o. (Late) Shri Ram Ji Verma, Aged About 25 Years,
R/o. Ram Nagar, Lodhi Para Supela, Bhilai, Tahsil and District Durg
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The District Magistrate, Police Station
Supela, District -Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Arvind Dubey, Advocate
For State/respondent	: Mr. Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**01/05/2018**

1. This is the first 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.1143/2017, registered at Police Station – Supela, Out Post- Vaishali Nagar, District – Durg (C.G.), for the offence punishable under Section 306 & 304 (B) of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant regarding abetment to commit suicide or regarding dowry death in this case. As the statement of the witnesses shows that there had been a demand of Rs.25,000 to 30,000/- that was made on the basis of need and not as dowry. The applicant is in jail since 11.12.2017 and is ready and willing to abide by all the

conditions that may be imposed for grant of bail. Hence, it is prayed that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that according to the statement of the witnesses, it is clear case of dowry death, hence, the applicant is not entitled for grant of regular bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, the marriage of the applicant with deceased – Mamta Verma were performed on 18.04.2016. Thereafter, she started living in her matrimonial home and had child before the date of incident. It is alleged that about one month prior to the date of incident, the deceased has talked to her father asking Rs.25,000 to 30,000/-, which was refused by her father for the reason that he is incapable to meet the demand. Subsequent to that, it is alleged that applicant started harassing the deceased and ultimately on 19.11.2017, she committed suicide by hanging herself. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. After perusal of the diary statement of the witnesses, the demand made by the applicant was to fulfill the need or was a dowry is a question, which shall be determined by the trial Court. For the present as the case is pending for trial and there is no likelihood for conclusion of the trial within a short span of time, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant

should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram