

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2448 of 2018**

Rajkumar Yadav S/o Hulas Yadav Aged About 23 Years R/o- Village- Putasu, Police Station- Pasta, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station- Pasta, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Vikash Pandey, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.05.2018**

Heard.

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.45 of 2017, registered at Police Station – Pasta, District Balrampur-Ramanujganj, Chhattisgarh for the offence punishable under Sections 498, 304B and 306/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 24.7.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. According to prosecution case, the co-accused persons – Hulash Yadav, Mukesh Yadav and Bhagmaniya have been

granted bail by this Court in M.Cr.C. No. 7660 of 2017 vide order dated 13.2.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that according to the evidence present in the case-diary against the applicant, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, marriage of deceased - Anita Yadav was performed with applicant - Rajkumar Yadav in the year 2017. It is alleged that, soon after marriage the applicant used to treat the deceased with cruelty for demand of dowry. On 10.7.2017, the deceased consumed some poisonous substance and she died subsequently. During investigation, it has come up in the statement of the witnesses that this applicant and the co-accused persons have been demanding a motorcycle and dowry. Hence, this case.

6. Considering the entire material in the case diary and the fact that the demand of motorcycle that was made in the year 2014 has been meted out by the parents of the victim or not, has not been made clear. Apart from that, after perusal of the entire material of the case-diary and the statements of the witnesses, I am of the considered view that this is a fit case for grant of bail to the applicant.

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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge