

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3514 of 2018**

1. Hemlal Patle, S/o. Savadram Patle, Aged About 54 Years,
 2. Ramakant Patle, S/o. Hemlal Patle, Aged About 24 Years,
- Both are R/o- Village Baloda, (Thargabahara), Police Station And
Tahsil Baloda, District- Janjgir-Champa, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station Baloda,
Civil And Revenue District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Vimal Kumar Tondey, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****03/07/2018**

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 applicants, who have been arrested in connection with Crime No.15/2018, registered at Police Station – Baloda, District – Janjgir-Champa (C.G.), for the offence punishable under Section 304-B, 34 of the Indian Penal Code.
2. At the very out set, the learned counsel for the applicants prays to withdraw the bail application filed in respect of the applicant No.1 Hemlal Patel with liberty to revive the same, if and when occasion arises.

3. Accordingly, the bail application in respect of the applicant No.1- Hemlal is dismissed as withdrawn with aforesaid liberty.
4. It is submitted by the learned counsel for the applicant No.2 that the applicant has been falsely implicated in this case. Applicant No.2 is in jail since 13.02.2018. Charge-sheet has been filed after completion of investigation. No case is made out against this applicant. Similarly placed co-accused persons namely Smt. Sangeeta Kumar Patle and Smt. Rajni Bai Patle, have been enlarged on bail by this Court. Hence, it is prayed that the applicant may also be enlarged on bail.
5. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that there is evidence about demand of dowry from the deceased soon before her death, hence, no case is made out for grant of bail.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. According to the case of the prosecution, the deceased Karina Patle was married with co-accused Ravi Kant on 05.05.2017. While she was living in her matrimonial home, she was subjected to torture and cruel treatment for demand of various articles in dowry. The deceased committed suicide by hanging on 17.01.2018. Hence, this case.
8. Considered on the submissions made and the contents of the case diary. On perusal of the diary statement of the witnesses and also for the reasons that similarly placed co-accused persons in this case have already been enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicant No.2 should be enlarged on regular bail.

9. Accordingly, the bail application filed under Section 439 of the Cr.P.C. in respect of the applicant No.2 is allowed.
10. It is directed that applicant No.2 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