

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4509 of 2018

- Smt. Anita Baghel W/o Shri Amrit Lal Aged About 42 Years R/o- Village- Kotami Sonar, P.S. Akaltara, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through- Station House Officer, Police Station Akaltara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Mr. R.S. Patel, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.91/2018 registered at Police Station- Akaltara, District – Janjgir-Champa(C.G.) for the offence punishable under Section 304-B/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since

12.4.2018. No case is made out against this applicant according to the material present in the case diary. The death of deceased Preeti Baghel is purely accidental and only because of the grievance, her parents and others have made false statement to the police. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is evidence regarding demand of dowry from the deceased and that just a day before the incident, the deceased was thrashed by her husband and in-laws. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. The marriage of deceased with co-accused Deep Singh Baghel was solemnized on 24.5.2013. It is alleged that her husband and in-laws used to torture the deceased for demand of one Alto Car and cash of Rs.1 lakh. The sister of the deceased has given statement to the police that just one day before the incident, she received the phone call from her sister i.e. deceased, and she informed her that she is being beaten by her husband and in-laws. On the next day, the dead body of deceased was found lying on the railway track. Hence, this case.
6. Considering the material present in the case diary, evidence regarding giving of beating to the deceased by her husband & in-laws soon before the incident and the fact that the trial against this applicant is likely to take time before its conclusion, I am of this view that this applicant deserves to be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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

Nisha