

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6689 of 2018

Ashok Dubey, S/o. Late Shri Ishwardayal Dubey, Aged About 57 Years,
R/o. Village- Saida, P.S.- Takhatpur, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. Takhatpur, District Bilaspur,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Vikash Shrivastava, Advocate

For Respondent : Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.10.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.60/2018 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 498(A), 306 & 304(B)/34 of Indian Penal Code.
2. As per the prosecution case, one Rashmi Dubey died of hanging on 04.02.2018 and she was married to Amit Dubey on 05.02.2017. It is the case of the prosecution that she died unnatural death because of the demand of dowry made by the family members, which includes the present applicant namely Ashok Dubey, who is father-in-law. Consequently, she died unnatural death within a period of one year.
3. Learned counsel for the applicant submits that the similarly placed other co-accused i.e. mother-in-law of the deceased Smt. Devki Bai Dubey has been enlarged on bail by this Court in MCRC

No.5289 of 2018 on 08.08.2018 and the case of the present applicant is similar as he is father-in-law; therefore, he may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed co-accused Smt. Devki Bai Dubey, who is mother-in-law, has been enlarged on bail by this Court.
5. Perused the case diary and the documents. Considering the facts and submission made that the similarly placed co-accused has been enlarged on bail on 08.08.2018 in MCRC No.5289/2018, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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/-
(Goutam Bhaduri)
Judge