

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7565 of 2018**

- Parmeshwar Yadav S/o Umend Yadav Aged About 25 Years R/o Village Tada (Ghadiypara) P. S. Kota, District Bilaspur Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Kota, District Bilaspur Chhattisgarh

---- Respondent

For Applicant	:	Shri Ajay Ayachi, Advocate
For Respondent/State	:	Shri Aditya Sharma, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/10/2018**

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 on 08.02.2018 in connection with Crime No.16/18 registered at Police Station Kota, district Bilaspur (CG) for the offence punishable under Section 304 (B) IPC.
2. As per the prosecution case, one Rajni has died unnatural death within 7 months of marriage as her marriage was performed in April, 2017 and she died on 30.12.2017. It is alleged that she was subjected to cruelty for demand of dowry.
3. Learned counsel for the applicant submits that as per the statement of the

witnesses namely Ram Kumar Yadav and Gayatri Yadav, it would reveal that there is no demand of dowry. He further submits that the statement of the father of the deceased was recorded on 31.12.2017, wherein it is alleged that the deceased was suffering with pain in her abdomen, which resulted into suicide. He further submits that the statement of the mother also do not take into sweep the allegation of dowry, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of father & mother of the deceased namely Ram Kumar Yadav and Gayatri. Considering their statements and also for the fact that the charge-sheet in this case has been filed, without any observation on merits, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu