

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7843 of 2018

Kamal Kumar Sahu S/o Mnoj Kumar Sahu Aged About 32 Years R/o Village Bilaspur Police Station Sarsiva District Baloda Bazar Bhatapara Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer Police Station Sarsiva District Baloda Bazar Bhatapara Chhattisgarh.-- **Respondent**

For the applicant	:	Mr. Amiyakant Tiwari, Advocate.
For the State	:	Mr. Aditya Sharma, Panel Lawyer
For the objector	:	Mr. Ratnesh Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.10.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 166/2018 registered at Police Station Sarsiva, Distt. Baloda Bazar Bhatapara (C.G) for the offences punishable under Sections 498-A/34 of IPC
2. As per the prosecution case, a report was made by Smt. Vimla that the present applicant is husband and used to assault her for which a report was made in the month of April, 2018. it is further alleged that the present applicant has treated the wife with cruelty for demand of dowry, thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated. He submits that the incident took place on 17.03.2015 and against the beating a report was made after 3 years and and thereafter

improved version has been made wherein the allegation of cruelty has been ascribed to the applicant. He submits that the charge sheet has been filed and the applicant is in jail since 27.09.2018, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel as also learned counsel for the objector vehemently opposes the bail application and submit that as many as 11 conciliation meetings were convened and despite that the applicant did not improve his behaviour.
5. Perused the case diary. Considering the facts and circumstances of the case and nature of the allegations as also the fact that the charge sheet has been filed and the applicant is in jail since 27.09.2018, I am inclined to allow this bail application.
6. Accordingly, the bail 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 concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**