

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.8063 of 2018**

- Durgesh Sahu S/o Shri Darashram Sahu Aged About 27 Years
R/o Pawani ,police Station And Tahsil -Bilaigarh ,civil And
Revenue District -Balodabazar-Bhatapara Chhattisgarh.,
District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police
Station -Bilaigarh District Balodabazar - Bhatapara Chhattisgarh.,
District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate
For respondent/State	: Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****29.10.2018**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 04.8.2018 in connection with Crime No. 175/2018 registered at Police Station- Bilaigarh, District- Balodabajar-Bhatapara (C.G.), for the offence punishable under Section 304-B/34 of IPC.

2. In the present case, name of the deceased is Smt. Sushila Sahu, who married with one co-accused namely Diamond Sahu on 23.04.2017. It is alleged that co-accused Diamond Sahu, his mother, father and present applicant and his wife Smt. Anjulata Sahu, have demanded gold and cash from the deceased in dowry and harassed her, that is why she committed suicide.

3. Learned counsel for the applicant submits that the applicant is younger brother of Diamond Sahu and has no direct role to play and he will never beneficiary of any dowry, therefore, the applicant may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. In case of dowry, normally bridegroom, his mother and father are beneficiaries. The present applicant who is young brother of Diamond Sahu, has prima facie no dominating role in the family. The allegation is general in nature, therefore, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE