

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9065 of 2018**

Neeraj Gupta S/o. Abhay Gupta, aged about 33 years, R/o. Dixit Colony, Ward No.2, Kosanagar, Motilal Nehru Nagar, Bhilai, Tahsil and District Durg (Chhattisgarh).

---Applicant
(In Jail)

Versus

State of Chhattisgarh Through: District Magistrate, Durg, District Durg (Chhattisgarh)

---Non-applicant

Krishna Prasad S/o. Dharam Nath Sah, aged about 71 years, R/o. Village & P.O. Hariharpur, Police Station Baniapur, District Chhapra (Bihar).

---Complainant
Objector

For applicant	:	Shri T. K. Jha, Advocate
For State	:	Shri Ashish Surana, Panel Lawyer
For complainant	:	Shri O.P. Sahu with Shri Ashok Prasad,
Objector		Advocates

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

11.12.2018

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.520/2018 registered at Police Station–Supela, District Durg (Chhattisgarh) for the offence punishable under Section 304-B/34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that marriage of applicant- Neeraj Gupta was solemnized with Shradha Suman on 12.12.2017 and on account of torture and cruelty meted out by the applicant and his mother, Shradha Suman committed suicide by hanging herself and thereby committed the aforesaid offence.

3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in crime in question as he has not committed any offence. He further submits that there is no allegation of demand of dowry against the present applicant, he is bank employee and languishing in jail since 06.09.2018; the charge-sheet has already been filed and, therefore, he may be released on regular bail.

4. On the other hand, learned Panel Lawyer for the State and learned counsel for the objector submit that the applicant used to torture for bringing less dowry, as such, there is sufficient material available on record against the present applicant, therefore, he is not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; nature and gravity of the offence and further taking into consideration that marriage of deceased Shradha Suman was solemnized with the applicant on 12.12.2017 and deceased committed suicide within six and half months of her marriage by hanging herself and material available in the

case diary to connect the present applicant in crime in question, I do not consider it a fit case for grant of regular bail. Accordingly, application for grant of regular bail filed on behalf of the applicant deserves to be and is accordingly rejected.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-