

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 781 of 2019

- Sandeep Das S/o Shibu Das, Aged About 28 Years, R/o H.No. 400, 11 Block, Mana Camp, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Mana Camp, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Ms. Smita Jha, Advocate.

For Non-applicant/State – Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-02-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested in connection with Crime No.120/18 registered at P.S. - Mana Camp, District Raipur, Chhattisgarh for the offence under Section 304-B/34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 02-06-2018. The only allegation against this applicant is this that he was a drunkard and used to quarrel with his wife. There has never been any demand of dowry from the deceased, wife of this applicant. Rest of co-accused persons have been granted bail by this Court. Therefore, it is prayed that this applicant may also be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that there is evidence present showing that the applicant and other in-laws of the deceased used to torture the deceased for demand of dowry. Therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. Marriage of deceased Ramadas with this applicant had taken place in May, 2015. As alleged, the deceased was subjected to torture for demand of dowry on numerous occasions. The deceased committed suicide on intervening night of 1st and 2nd April, 2018. Hence, this case.
6. Considered on all the material present in the case diary. For the reason that similarly placed co-accused persons have been granted bail by this Court, I feel inclined to allow this application.
7. Consequently, the application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge