

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1328 of 2019

- Anup Kumar Sahu S/o Late Sanat Kumar Sahu Aged About 35 Years
R/o Village- Bendri, Post Office And Police Station- Rakhi, District-
Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station- Rakhi, New Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri Alok Nigam, Government Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/04/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 204/2018, registered at Police Station – Rakhi, New Raipur District- Raipur (C.G.) for the offence punishable under Sections 304 (B) & 498 (A)/34 of the IPC.
2. As per prosecution story, the Applicant is the brother-in-law of the deceased Sangeeta Sahu, deceased Sangeeta Sahu was married with co-accused Rahul Sahu in the month of April 2018. On 16.11.2018, she committed suicide by hanging herself. Allegedly, the Applicant and other co-accused persons harassed and irritated the deceased on account of dowry and domestic work, therefore, she committed suicide by hanging herself. Brother of the deceased Mukesh lodged a report in police station. On the basis of said report, offence has been registered. During course of investigation, the Applicant has been arrested on 09.01.2019.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He is the brother-in-law of the deceased, his wife Smt. Purnima Sahu and other co-accused Smt. Durpati Sahu have already granted benefit of bail by this Court vide order dated 16.01.2019 passed in MCRC No. 1702/2018. The case of the present Applicant is also same, no direct allegations have been made against him, he is in custody since 09.01.2019, charge-sheet has already been filed and trial is likely to take some time. Therefore, the Applicant may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 09.01.2019, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge