

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5515 of 2019**

- Anandram Sande S/o Kaushal Prasad Sande Aged About 31 Years
R/o Village Pandgaon, Police Station And Tahsil Pamgarh, District
Janjgir Champa, Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Police Station Janjgir, District Janjgir
Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Raveendra Sharma, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 212/2019 registered at Police Station - Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Section 304-B/34 of IPC.
- The prosecution story in brief is that, the family members of the deceased lodged written complaint stating therein that, on 05.04.2019 at about 08.30 PM, the applicant has committed cruelty, physical and mental harassment towards his wife/deceased for demand of dowry, due to which, wife of the applicant committed suicide setting herself on fire. Thereafter, offence has been registered against the applicant and he was arrested on 30.04.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the anticipatory bail application of the

co-accused namely Daras Ram Sande has already been granted by this Hon'ble Court on 01.08.2019 in MCRCA No. 779/2019. Applicant is in jail since 30.04.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Learned counsel for the applicant has produced copy of deposition of father of the deceased namely Indrajeet (PW-01), mother Kanchan (PW-04) and grandmother Gesmati (PW-03) wherein it has nowhere mentioned that any demand of dowry was made.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the deposition of the prosecution witnesses and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge