

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5899 of 2019

- Peman Kumar Sahu S/o Late Krishna Kumar Sahu Aged About 32 Years R/o Village Junwani, Police Station Bhakhara, District Dhamtari Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Bhakhara, District - Dhamtari Chhattisgarh.,

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate
For Respondent/State	: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.106/2019 registered at police station Bhakhara, District Dhamtari (CG) for the offence punishable under Section 304 (B)/34 IPC.

Case of the prosecution in brief is that the deceased Indu Sahu got married with one Chandrahas Sahu and after about one year of their marriage, she was subjected to harassment for bringing less dowry. It is further alleged that husband of the deceased along with his family members used to harass her and when she informed about the

same to her parents, her father mortgaged his tractor and arranged Rs. 4,00,000/- and gave it to the husband of the deceased. However, the husband of the deceased and his family members were not satisfied and thus being fed up, she committed suicide after consuming some poisonous substance.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He further submits that prima facie no case is made out against the applicant. He submits that the applicant is brother-in-law of the deceased, his case is similar to that of the other co-accused who have already been granted bail by this court in M.Cr.C. No. 5005 of 2019 vide order dated 16.08.19 and he is in jail since 27.05.2019; charge sheet has already been filed; and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge