

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6036 of 2019**

- Nitesh Rai S/o Nitya Rai Aged About 33 Years, R/o Village P.V. 40, Purushottam Nagar, Tahsil Pakhanjore, District U.B. Kanker, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh, Through : Police Station Pakhanjore, District Uttar Bastar Kanker, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Parag Kotecha, Adv.
For Respondent/State	: Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 112/2019 registered at Police Station Pakhanjore, District-U.B. Kanker (C.G.) for the offence punishable under Sections 306, and 498-A of IPC.
2. The prosecution story, in brief is that, Subodh Mandal, the father of the deceased, submitted a written report of the incident in the police station Pakhanjore that his daughter was married to the accused about 11 years ago, having two children, their married life was never good. The present applicant used to harass his wife for demand of dowry and because of that she committed suicide by consuming poison. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 06.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant

may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that he has two minor children and the applicant is in jail since 06.08.2019 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**