

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6588 of 2019**

1. Dinesh S/o Dharam Lal Tande Aged About 24 Years, R/o Village Bhandora, Police Station Bilaigarh, District Balodabazar-Bhatapara, Chhattisgarh.
2. Dharam Lal S/o Sadhram Tande Aged About 52 Years, R/o Village Bhandora, Police Station Bilaigarh, District Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Police Station Bilaigarh, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/12/2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 182/2019 registered at Police Station Bilaigarh, District-Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 304-B, 34 of the IPC.
2. The prosecution story, in brief is that father of the deceased Brajlal Mahilange lodged a written report alleging in it that on 24.03.2019, his daughter Priyanka got married with Dinesh Tande according to Hindu Rituals. After some time of marriage, his daughter called him and told that her in-laws committed *Maar-Peet* with her saying that she brought less dowry and tortured physically and mentally. On the date of incident, son-in-law called him that his daughter fell down

and became unconscious then they took her in hospital. When the father of the deceased and her family member reached to the hospital, they found that his daughter was no more. Day after tomorrow deceased father-in-law told to deceased's father that the deceased committed suicide by hanging herself. Father of the deceased alleged that the in-laws of the deceased tortured her for dowry. Based on this offence has been registered against the present applicants.

3. In respect of applicant No. 1-Dinesh, learned counsel for the applicant wants to withdraw the bail application.
4. Accordingly, bail application in respect of applicant No. 1-Dinesh is dismissed as withdrawn.
5. In respect of applicant No. 2 Dharam Lal, learned counsel submits that the applicant is the father of the main accused/applicant No. 1, and the applicant No. 2 is innocent and has been falsely implicated in the crime in question. He further submits that there is no incriminating material against applicant No. 2 and only on suspicion, he has been implicated in the crime in question. He further submits that the applicant No. 2 is in jail since 12.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant No. 2 and further considering the facts that the present applicant No. 2 is the father of the main accused and applicant No. 2 is in jail since 12.06.2019 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 No. 2 on bail. Accordingly, the application in respect of applicant No. 2 is allowed.

9. Accused/applicant No. 2 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. Applicant No. 2 is directed to appear before the trial Court on each and every date to be given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge