

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7021 of 2019**

- Keshav Dhankar S/o Jiwan Lal Dhankar, aged about 32 years, R/o village Kathiya, Police Station Arjunda, Tahsil Dondilohara, District Balod (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station Arjunda, District -Balod (C.G.)

---- Respondent

For Applicant	:	Shri T.K. Jha, Adv.
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****20/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.144/2019, registered at Police Station - Arjunda, District Balod (C.G.) for the offence punishable under Section 304-B IPC.
2. The allegation against the present applicant is that he was ill treating and harassing the deceased for bringing less dowry as a result of which she became so weak and her parents brought her to their home where she died while taking to hospital for treatment. Based on this, offence has been registered. The present applicant has been taken into custody on 06.09.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the deceased was suffering from '*Ga/wa Mata*', a kind of disease, and she died of that disease that too

in her parental house. He also submits that the applicant is in custody since 06.09.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that the applicant was committing maarpeet with deceased and she died because of ill treatment of the applicant.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 06.09.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge