

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9584 of 2018

Amit Dubey, S/o. Ashok Dubey, Aged About 26 Years, R/o. Tikrapara,
Takhatpur, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Takhatpur, District Bilaspur,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Arvind Kumar Dubey, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer for the State.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.60/2018 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 498A, 306, 304(B)/34 of Indian Penal Code.
2. As per the prosecution case, one Rashmi Dubey was married to the present applicant on 05.02.2017 and she committed suicide on 04.02.2018 by hanging, as she was subjected to torture for demand of dowry.
3. Learned counsel for the applicant submits that the applicant and the deceased performed love marriage and therefore there is no question of any demand of dowry, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the mother Smt. Manju Pandey. Considering her statement and the fact that the applicant is in jail since 19.02.2018, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge