

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 9988 of 2018**

Narendra Soni S/o Dayanand Soni Aged About 27 Years R/o Sharda Para, Camp-2, Bhilai Nagar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through District- Magistrate, S.H.O. Police Station Chavni, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri B.P. Singh, Advocate.  
For the Respondent/State : Ms. Madhunisha Singh, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****14.01.2019**

Heard.

1. This is the third bail application of the applicant. Earlier two bail applications of the applicant have been dismissed as withdrawn. The applicant has been arrested in connection with Crime No.251 of 2017, registered at Police Station – Chavni, District – Durg, Chhattisgarh for the offence punishable under Section 304(B)/ 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 6.6.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused persons have been granted regular bail by this Court and the case against the applicant is getting delayed. Out of the 28 witnesses in the list of the prosecution case, only six witnesses have been examined so far. Hence, for these reasons, it

is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is specific allegation that the deceased was being tortured by the applicant for demand of dowry. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. Considered the material present in the case-diary and also considered the case against the applicants who have been enlarged on bail. After due consideration for the reason that the trial is getting delayed, I feel inclined to grant regular bail to the applicant in this case.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge