

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 10018 of 2018**

Titra S/o Hera Lal Lohar Aged About 55 Years R/o Bahnakhodara, P.S. Chilfi, Tahsil Bodala, District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Chilfi, District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh.

---- Respondent

For the Applicant : Shri S.P. Sahu, Advocate.
For the Respondent/State : Shri Adil Minhaj, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.01.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.24 of 2018, registered at Police Station – Chilfi, District – Kabirdham, Chhattisgarh for the offence punishable under Section 304B/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is in jail since 25.10.2018. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, 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 clear allegation against the applicant in this case that he was involved in making demand of dowry from the parents of the deceased. Hence, the applicant is not entitled for grant of bail.

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

5. The marriage of deceased – Shiv Kumari took place with the son of this applicant in the year 2016. The deceased died due to burn injuries on 15.8.2018. In the inquest statement and in the statement under Section 161 of the Cr.P.C. it is alleged that the husband and in-laws of the deceased were engaged in making demand of Rs.1,00,000/- from the parents of the deceased because of which, the unnatural death of the deceased has taken place.

6. As it is informed that the charge-sheet has been filed in this case and this applicant does not appear to be the main accused in this case, I feel inclined to grant regular bail to the applicant.

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

8. 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

Nimmi