

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 11 of 2020**

Vinay Kumar, S/o Late R.N. Sharma, aged about 40 years, R/o Gaya Vihar, Shastri Nagar, Naya Sarkanda, Tahsil & Distt. Bilaspur (C.G.)

(Note : As per the arrest memo, the name of the applicant is 'Vinay Kumar Sharma')

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Sarkanda, Bilaspur (C.G.)

----Non-applicant

For Applicant : Mr. Jitendra Shrivastava, Advocate.
For Non-applicant/State : Mr. Akhtar Hussain, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****11/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 708/19 (as per challan) registered at police Station Sarkanda, Bilaspur for the offence punishable under Section 304-B/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that, marriage of deceased Nidhi Sharma was solemnized with the applicant in the year 2016 and immediately after marriage applicants & other co-accused persons started harassing her and treated her with cruelty in connection with demand of dowry and out of humiliation and frustration, she committed suicide 6.7.2019 i.e. after seven years of the marriage.

(3) Learned counsel appearing for the applicant would submit that applicant has been

falsely implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 18.11.2019 and similarly situated co-accused namely Smt. Sarojni Sharma (mother of the applicant) has already been granted anticipatory bail by this Court vide order dated 28.11.2019 passed in M.Cr.C. (A) No. 1468 of 2019 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts similarly situated co-accused has already been granted anticipatory bail by this Court in M.Cr.C. (A) No. 1468 of 2019; applicant is in detention since 18.11.2019; charge sheet has already been filed and trial is likely to take some time for its final disposal; without further commenting on merits; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

