

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 399 of 2020**

- Vipin Raman Patle S/o Sri Ramayan Prasad Aged About 34 Years R/o Village Tilkeja, Thana Urga, Tehsil And District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Urga, District Korba Chhattisgarh.

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate.

For Respondent/State : Shri Sunil Otwani, Addl. A.G.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****15/06/2020**

1. First bail application of the applicant was dismissed for want of prosecution vide order dated 14.08.2019 passed in MCRC No. 4730 of 2019.
2. Second bail application of the applicant was dismissed as withdrawn with liberty to revive the same after four months vide order dated 09.09.2019 passed in MCRC No. 5618 of 2019.
3. The applicant has preferred third bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 92/2019, registered at Police Station – Urga, District - Korba, Chhattisgarh, for the offence punishable under Section 304-B of I.P.C.
4. As per the prosecution story, marriage of applicant and deceased was solemnized on 02.05.2014. On 20.10.2018 deceased committed suicide in her matrimonial house by hanging herself. Initially, morque

was recorded and on 02.05.2019 F.I.R. was registered. After completion of the investigation, charge-sheet was filed and at present trial is going on. Applicant is in custody since 25.06.2019.

5. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that after investigation, charge-sheet was filed. Mother and father of the deceased were examined before the trial Court and referring to their statements, Counsel for the applicant submits that *prima facie*, no case under Section 304-B of I.P.C. is made out against applicant because they both have not stated anything regarding demand of dowry. He further submits that applicant is in custody since 25.06.2019 and trial will take time. Therefore, it is prayed that applicant may be released on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
7. I have heard learned Counsel for the parties.
8. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the statements of the parents of the deceased, Applicant is in custody since 25.06.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge