

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1035 of 2020**

1. Rekhram Sahu S/o Satrugan Sahu Aged About 34 Years R/o Village Dadarjhor, Police Station Gobranavapara, Raipur, District Raipur Chhattisgarh
2. Goutam Sahu S/o Satrugan Sahu Aged About 35 Years R/o Village Dadarjhor, Police Station Gobranavapara, Raipur, District Raipur Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Gobra Navapara, Raipur, District Raipur Chhattisgarh

---- Respondent

For Applicants	:	Shri Akhilesh Mishra, Advocate
For State	:	Shri Ravish Verma, Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/03/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.486/19 registered at Police Station – Gobra Navapara, District – Raipur (C.G.) for alleged commission of offences under Section 304-B of IPC.
2. Case of the prosecution is that the wife of applicant No.1 died in suspicious circumstances in the matrimonial house due to poisoning. It is alleged that the deceased was subjected to cruelty in connection with demand of dowry soon before her death.
3. Learned counsel for the applicant would argue that the allegations against the applicant are quite general in nature and no specific allegations with regard to nature of cruelty has been specifically stated either in the FIR or in the case diary statement of the relatives of the deceased. He would submit that the application of mother-in-law Smt. Sukhmati Sahu has been allowed by this Court taking into consideration that the allegations are general in nature.

4. On the other hand, learned State counsel submits that Laxmibai Sahu died in suspicious circumstances due to consumption of poison in her own matrimonial house. The diary statements of the prosecution witnesses *prima facie* show that the deceased was being subjected to cruelty by all members of the family including the present applicants also. He submits that there are specific allegations also particularly with regard to there being dispute and cruelty committed by her husband – Rekhram Sahu, applicant No.1.

5. Taking into consideration the submission of learned counsel for the parties, perusing case diary and also taking into consideration the statement of prosecution witnesses with regard to role alleged to be played by the applicants, as far as applicant No.2 – Goutam Sahu is concerned, I am inclined to grant bail.

6. Application of applicant – Goutam Sahu is, therefore, allowed. It is directed that the applicant – Goutam Sahu shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

7. As far as applicant No.1 – Rekhram Sahu, the husband is concerned, upon consideration of material on record, present is not a fit case for grant of bail. Application of Rekhram Sahu is, accordingly, rejected.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge