

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2825 of 2020

1. Chandan Gupta S/o Shri Vijay Gupta Aged About 32 Years
R/o Ward No.09, Kharora, District Raipur, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police
Station Kharora, District Raipur, Chhattisgarh.

---- Respondent

For Applicant Mr. Harsh Wardhan Jaiswal, Advocate

For Respondent /State Mr. Gagan Tiwari, Dy. Govt. Advocate

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

13/8/2020

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.460/2019, registered at Police Station Kharora, District Raipur (CG), for the offence punishable under Section 306, 34 of the Indian Penal Code.
3. Applicant has married with Preeti Gupta (since deceased) in the year 2012. The deceased committed suicide by hanging on 31-10-2019. Witnesses informed the police that the applicant used to demand dowry and committed cruelty on the deceased. Applicant had two issues out of the wedlock.

One Devansh Gupta, aged about 8 years and the other aged about 2 ½ years. Devansh Gupta informed the police that on the date of incident there was a fight between his mother (deceased) on one side and the applicant (father) and his grandmother, the co-accused having already been released on bail in M.Cr.C.No.1713 of 2020, on the other side, after which his mother committed suicide.

4. Learned counsel appearing for the State would oppose the bail application.
5. Having considered the material available in the case diary and the allegations necessary to constitute the offence under Section 306 of the IPC as also for the reason that the applicant is in detention since 28-11-2019 and further considering the fact that the co-accused has already been released on bail, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the bail application M.Cr.C.No.2825 of 2020 is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri