

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3200 of 2020**

1. Pawan Kumar, S/o Sukhnath Nayak, Aged about 28 years,
2. Smt. Sona Bai, W/o Sukhnath Nayak, Aged about 48 years,
3. Dhaneshwari, D/o Sukhnath Yadav, Aged about 26 years,

All applicants are R/o village- Dhangaon, Thana- Dongargaon,
District Rajnandgaon (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh, Through – PS Dongargaon, District
Rajnandgaon (C.G.)

---- Respondent

For Applicants : Mr. Samir Singh, Advocate.

For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

- Heard.
- Admit.
- The accused/applicants have moved their first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 92/2020 registered at Police Station– Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Section 304-B/34 of Indian Penal Code.
- According to the prosecution story, the marriage of the applicant No. 1 was solemnized with Sonbati Bai in the month of April, 2017. Further allegation of the prosecution is that the applicants immediately after his marriage, harassed the deceased on account of demand of dowry and treated with her in cruel manner, as a result of which, she committed suicide on 04.03.2020, therefore, on the basis of his report police registered the offence against the present applicants.
- Learned counsel for the applicants submits that the applicants

have been falsely implicated in the aforesaid case by the complainant. He further submits that the investigation has been completed and the charge-sheet is filed by prosecution agency has not collected any material evidence which can constitute the ingredients of offence of dowry death. He also submits that there is delay on two months in lodging the FIR. At the time of incident applicant No. 2 Smt. Sona Bai was present on her working place. He next contended that the applicants are in jail since 18.05.2020, therefore, they may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, each with one local surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

Vasant