

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5560 of 2020**

- Rajkumar Yadav, S/o Jagat Yadav, Aged about 30 years, R/o Mahavirganj Ward No. 19, Out post Vijaynagar, PS Ramanujganj, District Balrampur-Ramanujganj (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through– Out post Vijaynagar, Station House Officer, PS Ramanujganj, District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant : Ms. Indira Tripathi, Advocate.
For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/09/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 136/2020 registered at Police Station- Ramanujgunj, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 304(B), 34 of the Indian Penal Code, 1860.
4. The prosecution story in brief is that, the marriage of the deceased was solemnized with the one Amit Yadav (who is younger brother of the present applicant) in the year 2017 and since then she was discharging her matrimonial duties in her in-laws house. After one year of the marriage, the deceased was subjected to cruelty by the applicant and her family members for dowry, as a result of which, she committed suicide by hanging herself on 24.07.2017. Based on this, offence has been registered. The present applicant has been taken into custody and he is in jail since 02.07.2020.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that the vide order dated 22.01.2020 passed in MCRCA Nos. 1711/2019 and 1451/2019, the mother and the sister of the present applicant have already been granted anticipatory bail by the co-ordinate Bench. She next submits that the applicant is in jail since 02.07.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 02.07.2020, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the present applicant on bail. Accordingly, the bail application is allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local 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.

Certified copy, as per rules.

**Sd/-
(Rajani Dubey)
Judge**