

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4960 of 2020**

- Deepak Bhuiya S/o Rangai, aged about 23 years, R/o Kotrahi, Police Out Post Wadraf Nagar, P.S. Basantpur, District Balrampur-Ramanujganj (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Basantpur (P.S. Raghunathpur wrongly mentioned in the cause title in the bail rejection order), District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Smt. Indira Tripathi, Adv.
For Respondent	:	Smt. Sunita Jain, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****26/08/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.65/2020, registered at Police Station - Basantpur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 304-B IPC.
2. The allegation against the present applicant is that he along with his family members harassed deceased Jauti Devi (wife of the present applicant) for demand of dowry and due to the harassment being committed by them, she committed suicide by hanging herself. Based on this, the offence has been registered against the applicant. The present applicant has been taken into custody on 22.06.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further

submits that the applicant belongs to Bhuia community, in their community there is no custom of dowry and the deceased committed suicide due to anger, therefore, offence under Section 304-B IPC is not made out against him. Furthermore, there is no suicidal note in the present case. She also submits that the allegation of demand of dowry is not against the present applicant. It is next submitted that the applicant is in custody since 22.06.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 22.06.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge