

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5949 of 2020**

- Udit Narayan Thakur S/o Keshav Prasad Thakur Aged About 25 Years Resident of Village Sendhopara, Police Station Bhatgaon, Tahsil Pratappur, District Surajpur, Chhattisgarh ----- **Applicant**

Versus

- State of Chhattisgarh Through- The Station House Officer, Police Station Bhatgaon, District Surajpur (Chhattisgarh) ----- **Respondent**

For Applicant	:	Shri V.K. Pandey, Advocate
For State	:	Shri Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****19/10/2020**

1. Heard on application for grant of bail.
2. The applicant has been arrested on 07.02.2020, on the allegation of having committed offence under Section 304 (B), 498 (A) & 34 of I.P.C. He moved this application for grant of bail in connection with Crime No 179/2019 registered at Police Station- Bhatgaon, District- Surajpur (C.G.).
3. Prosecution case is that the applicant/husband of the deceased committed cruelty in connection with demand of dowry and deceased committed suicide within less than three months of her marriage.
4. Learned counsel for the applicant would argue that the allegation of demand of dowry and cruelty are afterthought. He submits that though after death of the deceased the panchnama/inquest report was prepared, in the inquest report there is no specific details with regard to the alleged cruelty and after merg inquiry, a false case was registered on 13.11.2019. His next submission is that the friend of the deceased who is residing in the neighborhood stated that the deceased never disclosed her that the applicant/husband committed cruelty in connection with demand of dowry. Though maternal uncle of the deceased stated that he received a call from the matrimonial house that the

deceased was not properly behaving nor interested in household work and she was only advised to mend her way but there also no one stated any cruelty meted out to her. He further submits that other co-accused, brother-in-law and mother-in-law have been granted bail by this Court vide order dated 09.06.2020 in MCRC no. 1801 of 2020 and their case are similarly situated.

5. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that in the present case marriage was solemnize in the month of May and within less than three months time deceased committed suicide on 06.08.2019 when she was carrying pregnancy and in the present case the mother, brother and uncle have made very specific allegation that Rs. 40,000/- and one bike was being demanded and cruelty was being committed on her.
6. I have heard learned counsel for the parties and on prima facie consideration, It appears that the deceased committed suicide within short period of three months of marriage and she was carrying pregnancy. The mother, brother and uncle have alleged that cruelty meted out to the deceased on the allegation of demand of money as also motorcycle, therefore, at this stage, it is not a fit case for grant of bail, accordingly application for grant of bail is rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge