

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCANo. 1293 of 2020

1. Sikander Yadav S/o Late Shoukilal Yadav, Aged About 40 Years By Caste - Rawat, R/o Podagarh, Police Chowki - Baloda, Police Station And Tahsil - Saraipali, District - Mahasamund Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through - Station House Officer, Police Chowki - Baloda, Police Station - Saraipali, District - Mahasamund Chhattisgarh.

---- Respondent

For Applicant	Mr. Vaibhav A. Goverdhan, Advocate
For Respondent /State	Mr. Ayaz Naved, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder on Board10/12/2020

1. The applicant has preferred this ***first bail application for grant of anticipatory bail***, as he apprehends his arrest in connection with Crime No.45/2020, registered at Police Station Saraipali, District Mahasamund (CG), for offence punishable under Section 304-B of the Indian Penal Code.
2. Deceased was married with the applicant on 20-4-2017. She committed suicide by consuming insecticide on 31-8-2019.

3. Material available in the case diary indicates that the applicant used to demand dowry in the pretext of quality and quantity of the articles gifted at the time of marriage.
4. Albeit the co-accused Gandharvi Yadav & Snehlata Yadav have been extended the benefit of Section 438 of the Cr.P.C. by this Court in MCRC A No.320 of 2020 by order dated 18-6-2020, this applicant happened to be the husband of the deceased whereas the released accused were the unmarried sisters of the applicant.
5. Considering the seriousness of the offence and the material available in the case diary, this Court is not inclined to extend the benefit of Section 438 of the Cr.P.C. to the applicant.
6. Accordingly, the bail application is rejected. In the event of surrender and moves the regular bail application by the applicant, the jurisdictional Court shall consider and decide the same expeditiously.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri