

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7150 of 2019

- S. Krishna Rao S/o Late S. Bairy, Aged About 49 Years R/o Krishna Nagar, Gudhiyari, Raipur Tahsil And District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Collector/ District Magistrate, Durg District Durg Chhattisgarh.

---- Respondent

For Applicant	: Smt. Aarti Chanda Dutta, Advocate
For Respondent/State	: Shri Anurag Verma, PL
For Respondent/Objector	: Shri Aman Pandey, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/01/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.139/2019 registered at police station Kumhari, district Durg (CG) for the offence punishable under Sections 304-B,34 IPC.

Case of the prosecution in brief is that deceased, wife of the brother of the applicant, committed suicide by strangulation at her in-laws house. It is alleged that the in-laws including the applicant used to treat her with cruelty for demand of dowry.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C.(A) No. 1437/2019 vide order dated 24.09.2019 and therefore the present applicant may also be granted similar benefit. He submits that the applicant is in jail since 16.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State as well as the objector opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge