

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 293 of 2021**

- Laxminarayan Sahu, S/o Kishan Sahu, Aged About 28 Years, R/o Kevansi Sahu Para, P.S.- Aarang, Teh. & District- Raipur (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Aarang, District- Raipur (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Sanjay Agrawal, Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.02.2021**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 753/2019 registered at Police Station- Aarang, District- Raipur, (C.G.) for the offence punishable under Section 304(B)/34 of IPC.
2. Earlier, the first bail application of the applicant was dismissed as withdrawn vide order dated 17.08.2020 passed in MCRC No. 4571/2020 by this Court.
3. The prosecution story, in brief is that, the marriage between the applicant and the deceased was solemnized on 23.04.2019. On the night of 05.11.2019, the deceased committed suicide which was reported to the local police station on 06.11.2019 by the applicant. On 11.11.2019, the sister of the deceased filed a written complaint alleging dowry death. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
4. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that it is totally a suicidal case and applicant has no role behind it. He next added that PW/2 (sister of deceased) has not supported the prosecution case before trial court and charge-sheet has been filed and other co-accused has been granted bail in MCRC No. 4571/2020 and applicant is in jail since 28.11.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 28.11.2019 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 applicant on bail. Accordingly, the application is allowed.
8. 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.

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

Ruchi