

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1854 of 2021**

Purushottam Soni, aged about 58 years, S/o Chhote Lal Soni, R/o C-508, Capital Homes-2, Saddu, Raipur, Tahsil & District Raipur (CG) Mob.: 6262988692.

----Applicant**Versus**

State of Chhattisgarh, through the Police Station Khamhardih, District Raipur (CG).

----Non-applicant

For Applicant : Shri N. Naha Roy, Advocate.

For State : Dr. Veena Nair, Dy. Adv. General

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****18/06/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.227/2020 registered at Police Station Khamhardih, District Raipur, C.G. for the offence punishable under Sections 304-B, 34 of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 21.12.2020 at 9.00 pm deceased Smt. Priyanka Soni committed suicide by hanging due to harassment on account of demand of dowry by the present applicant and his son namely Ravi Soni i.e. the husband of the

deceased.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime. He further submits that the allegation leveled against the applicant is that he is demanding Sofaset and T.V., but as such no other allegation is made against the applicant regarding cruelty. The main allegation made against the husband of deceased regarding cruelty by the family members of the deceased that her husband was pressing upon her to leave her service. Her husband was consuming liquor and assaulted her. He further submits that the applicant is languishing in jail since 29.12.2020 and conclusion of trial is likely to take some time and charge sheet is filed. Therefore, the applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedent.
6. Considering the facts and circumstances of the case, the nature of allegation leveled against the present applicant, the detention period of the applicant, who is 58 years of age, charge-sheet has been filed and the fact that the applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as submitted by counsel for the applicant and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the bail application is allowed. It is directed

that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-

Gautam Chourdiya
Judge

L/-