

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1796 of 2021

- Ramchand Kenwat S/o Firtu Ram Aged About 32 Years R/o Village Mangaon Near Water Tank Police Station Kusmunda District Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Kusmunda District Korba Chhattisgarh

---Respondent

For Applicant – Shri Nitesh Shrivastava, Advocate.

For Respondent/State – Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

05/07/2021

Heard.

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 26.11.2020 in connection with Crime No. 461/2020 registered at Police Station- Kusmunda District Korba C.G. for the offence punishable under Section 304(B) of I.P.C.
2. As per the prosecution case, on 26.04.2018 the applicant was married to the deceased Kumari Kewat, thereafter she was subjected to torture for demand of dowry and eventually she committed suicide on 29.09.2018 for which FIR was registered on

30.09.2018.

3. Learned counsel for the applicant submits that the mother and the brother of the deceased has been examined, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. After perusal of the statement of Janka Bai (mother) and brother of the deceased namely Ramadhar, I am of the opinion that this issue needs to be left open to the Court to evaluate the facts, giving any opinion at this stage can damage the case of the either side of prosecution or the defence, therefore, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is rejected.

Sd/-
(Goutam Bhaduri)
Judge