

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C No.6057 of 2021**

Dharmendra Mannewar S/o Dori Lal Aged About 27 Years R/o Village Supatarai Police Station Urga, Tahsil Kartala, District- Korba, Chhattisgarh  
---- **Applicant**

**Versus**

State Of Chhattisgarh, Through - Police Station Urga, District Korba, Chhattisgarh.  
---- **Non-Applicant**

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|--------------------------|-----------------------------------------------|
| For Applicant:           | Shri Kishanlal Sahu, Advocate.                |
| For Non-Applicant/State: | Shri Anand Verma, Deputy Government Advocate. |

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**Hon'ble Shri Justice Gautam Chourdiya**  
**Order on Board**

**09.09.2021**

1. The Applicant has preferred this application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.49/2021 registered at Police Station Urga, District Korba (CG) for the offence punishable under Section 304-B IPC.

2. Case of the prosecution is that marriage of the deceased Top Bai was solemnized with the present Applicant on 09.05.2019 and she resided at her in-law's house for about 1 and ½ months, during which period, her husband used to doubt her character and ill-treat her demanding motorcycle.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in this crime and is languishing in jail since 16.03.2021 and due to COVID-19 pandemic, conclusion of trial is likely to take some time, therefore, he may be released on bail.

4. On the other hand, learned State Counsel opposed the bail application. He, however, submits that there are no criminal antecedents against the present Applicant.

5. I have heard learned Counsel for both the parties and perused the

case diary.

6. Considering the facts and circumstances of the case, the deceased attempted to commit suicide by consuming vermilion and hanging herself on 06.07.2019 and died during treatment on 06.07.2019, the FIR was lodged only 13.02.2021, during this long period, no FIR or complaint was made by the family members of the deceased or any social meeting was convened, soon after the incident when statements of Lakeshwar (father of the deceased) and Santram (grandfather of the deceased) were recorded on 07.07.2019, they did not make any allegation against the Applicant, but in his subsequent statements recorded 21.02.2020, 14.02.2021, 20.02.2021, Lakeshwar made allegation of demand of motorcycle against the Applicant and that he used to beat the deceased suspecting her character, likewise, Santram in his subsequent statements recorded on 21.02.2020, 12.02.2021 and 14.02.2021 made allegation of demand of motorcycle by the Applicant; as per postmortem report, no bodily injury, external or internal, was found on the person of the deceased which is suggestive of the fact that no assault was made on the deceased by the Applicant soon before her death, the fact that the Applicant is in jail since 16.03.2021, charge sheet has already been filed, there are no criminal antecedents against him, and there is no likelihood of the Applicant's tampering with the evidence or absconding as admitted by both the counsel and the trial may take some time due to Covid-19 Pandemic, without expressing any opinion on the merits of the case, I am inclined to allow this application.

7. Accordingly, the instant M.Cr.C is allowed and it is directed that in the event of the Applicant's executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- 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's involving himself in any offence in future.

Sd/-

Gautam Chourdiya

JUDGE

Priya