

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6354 of 2020

Premraj Chopra S/o Late Shri Dalichand Chopra Aged About
35 Years R/o Vikas Nagar, Police Station Kondagaon , District
Kondagaon Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police
Station Kondagaon, District Kondagaon Chhattisgarh., District
Kondagaon,Chhattisgarh

--- **Respondent**

For the applicant	: Mr. Devershi Thakur, Advocate
For the State	: Mrs. Richa Shukla, Govt. Advocate
for the Objector	: Mr. Shikhar Bhaktiyar, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 51/2020 registered at Police Station Kondagaon, Distt. Kondagaon (C.G) for the offences punishable u/ss 304-B IPC.
2. As per the prosecution case, one Riya Chopra has died unnatural death on 02.02.2020. She was married to the present applicant on 17.06.2019. The allegation is that she was subjected to cruelty for demand of dowry, therefore, the offence was committed.
3. Learned counsel for the applicant would submit that the statements of Dr. M.S. Netam, Dr. Divya Tiwari and Dr. Kavya Reddy would show that the deceased was suffering from certain disease as she was unable to conceive and further

trivial dispute took place between the husband and wife and the omnibus allegations have been made by mother Smt. Mamta Bansali and the statements of neighbors would show that the deceased was not subjected to any cruelty or torture.

4. On the other hand, learned State Counsel opposes the bail application. He referred to the statement of Samruddi Chopra , aged about 11 years, who is daughter from the first marriage and also and the mother and also the chat between the deceased and family members and in between deceased and the present applicant.
 5. Perused the statements of mother Mamta Bansali, father Subhash Chandra Bhansali as also the statement of neighbor witnesses Mohd. Khursid. The allegations appears to be omnibus. The statements of Dr. Sanjay. Netam, Dr. Divya Tiwari and Dr. Kavya Reddy would show that immediately before her death, she visited the doctors from 30.01.2020 to 01st February 2020 for ailment along-with husband.
 6. Considering the nature of allegations and the statements of witnesses especially the doctors and the telephonic chats which appears to be trivial in nature, I am inclined to allow this bail application.
 7. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**