

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6732 of 2020

Nagesh Kumar Son of Dilip Sahu Aged About 25 Years
Resident of Village - Dhangaon, Police Station - Lalbag,
District - Rajnandgaon (Chhattisgarh). --- **Applicant**

Versus

State of Chhattisgarh through the Station House Officer,
Police Station - Lalbag, District - Rajnandgaon (Chhattisgarh).
--- **Respondent**

For the applicant	: Mr. Goutam Khetrapal Advocate
For the State	: Mrs. Richa Shukla, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2021

1. This is the 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.169/2020 registered at Police Station Lalbag, District Rajnandgaon (C.G) for the offences punishable under section 304-B read with section 34 of IPC.
2. As per the prosecution case, deceased Vindhya Sahu was married to the present applicant on 29.04.2018. Thereafter she committed suicide by pouring kerosene oil and burning herself and ultimately she succumbed to burn injuries on 13.04.2020. The allegation against the applicant is that she was subjected to cruelty for demand of dowry thereby she committed suicide.
3. Learned counsel for the applicant submits that immediately after the incident, the merged statement was recorded and no allegations were attributed, however, subsequently on

06.05.2020 the allegations have been attributed while the statement was recorded. He further submits that because of the other reasons, the deceased has committed suicide, therefore, the said act cannot attract section 304-B of IPC.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statements of mother and father of deceased namely Usha Bai and Kamta Prasad Sahu. During the merging information, the allegations have been attributed to the applicant. Considering the same, I am not inclined to allow this bail application at this stage. It is accordingly rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**