

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8537 of 2020

1. Priyesh Dubey S/o Prakash Chandra Dubey Aged About 29 Years
R/o Plot No.7A, Near Ekta Park, Maitry Vihar, Supela, Bhilai,
District Durg Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police
Station Supela, District Durg Chhattisgarh.

---- Respondent

For Applicant	Mr. T.K. Jha, Advocate
For Respondent /State	Mr. Ashutosh Mishra, Panel Lawyer
For Objector	Mr. Aditya Chopra, Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder on Board24/2/2021

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.131/2020, registered at Police Station Supela, District Durg (CG), for the offence under Sections 498-A/34 & 377 of the Indian Penal Code and Sections 4 & 5 of the Dowry Prohibition Act.
3. Applicant was married with the complainant on 22-2-2019. They stayed together for a short period till 2-5-2019. When the

complainant went back to her parental house the present FIR has been lodged on 25-7-2019 alleging demand of Rs.25.00 lacs and committed unnatural sex with the complainant.

4. Learned counsel for the State and learned counsel for the objector, *per contra*, would vehemently oppose the bail application. Learned counsel for the objector would submit that the applicant is a drug addict and he used to commit unnatural sex in a state of addiction, therefore, the applicant is not entitled to be released on bail.
5. There is no allegation involving an offence under the provisions of the NDPS Act in the present crime. All the offences are triable by the JMFC. The applicant is in detention since 4-11-2020 and moreover, the charge sheet has already been filed. Therefore, considering all the relevant aspects of the matter, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri