

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRA No. 764 of 2017**

1. Manoj @ Dulamani S/o Nirbhay Das, Aged About 21 Years
2. Nirbhay Das S/o Vishramdas, Aged About 50 Years
3. Smt. Vrindavati @ Futkihin, W/o Nirmaldas Aged About 45 Years

All R/o Village Chandibhona, Police Station Saraipali, District Mahasamund, Chhattisgarh.

**----Appellants**

**Versus**

- State of Chhattisgarh Through Police Station Saraipali, District Mahasamund, Chhattisgarh.

**---- Respondent**

07/11/2017	<p>Shri Alok Kumar Pandey, Advocate for the appellants.</p> <p>Shri Anupam Dubey, Dy. GA for the State.</p> <p>Heard on I.A. No.02/17, which is an application for suspension of sentence and grant of bail.</p> <p>The appellants stand convicted under Section 304 (B)/34 of the I.P.C. and sentenced to undergo R.I. for 7 years and to pay fine of Rs.2000/-, each, with usual default stipulation vide judgment dated 10.05.2016, passed by the Additional Sessions Judge, Saraipali, in Sessions Case No.05/2016.</p> <p>Learned counsel for the appellants would submit that no direct allegations have been attributed that the deceased Nohar Bai was subjected to torture for demand of dowry and the witness have not supported the case of the prosecution, therefore, the substantive jail sentence imposed upon the appellants may be suspended and they may be released on bail.</p> <p>Per contra, learned State counsel opposes the prayer for suspension of sentence and grant of bail.</p> <p>The date of marriage is 10.03.2015 and after 7 months of the</p>

marriage, the deceased died unnatural death. Perused the statements of Pardeshi Das (PW-16) & Mangli Bai (PW-17), who are the father and mother of the deceased, considering the same, I am not inclined to suspend the sentence and release the appellants on bail.

Accordingly, I.A.No.2/17, application for suspension of sentence and grant of bail is dismissed.

Sd/-  
**Goutam Bhaduri**

Judge

Ashu