

**IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL**

Original Jurisdiction

Dated: Nainital: the 29th day of July, 2011

First Bail Application No. 576 of 2011

Criminal Side

Umesh Bhatt

S/o Sri Urba Dutt Bhatt

R/o Haripur Kalan,

Shyampur, P.O.

Satyanarayan Mandir,

P.S.Raiwala

District Dehradun

.....Applicant (In Jail)

Versus

State of Uttarakhand

.....Opposite Party

Arising out of Case Crime No. 47 of 2011

Under Section: 304B, 498A I.P.C., and $\frac{3}{4}$ of Dowry
Prohibition Act, 1961.

Police Station: Raiwala

District: Dehradun

Hon'ble Prafulla C. Pant, J.

Mr. Lalit Miglani, Advocate, present for the
applicant.

Mr. S.S.Adhikari,A.G.A., present for the State.

Heard.

Applicant–Umesh Bhatt, who is in jail in connection with Case Crime No. 47 of 2011, relating to offences punishable under Section 304B and 498A I.P.C., and one punishable under section 3/4 of Dowry Prohibition Act, 1961, police station Raiwala District Dehradun, has sought his release on bail.

Applicant got married to Anita (deceased) on 19.01.2008. Admittedly, she committed suicide on 17.05.2011. There are no details of demand of dowry in the First Information Report, nor is that of cruelty committed by the applicant. It is pleaded by the applicant that the only reason due to which deceased committed suicide is that she wanted her husband to leave the business of seeds and fertilizer and do some independent job, which the applicant could not do.

In the above circumstances, without expressing any opinion as to final merits of the case, this Court is of the view that the applicant deserves bail. Bail Application is allowed.

Let the applicant- Umesh Bhatt be released on bail on executing personal bond and furnishing two sureties, each of the like amount, to the satisfaction of the Chief Judicial Magistrate, Dehradun.

(Prafulla C. Pant, J.)

