

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 2903 OF 2015**

Ganesh Ram Shrivastava S/o Shanker Shrivastava, aged about 24 years, R/o village Banhar, P.S. Chahal, District Raigarh (C.G.)

**---Applicant****Versus**

State of Chhattisgarh, through S.H.O. Chahal, District Raigarh (C.G.).

**---Non-applicant**


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| For Applicant     | : | Mr. Ishwar Jaiswal, Advocate. |
| For-Non-applicant | : | Ms. Madhuni Singh, P.L.       |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****29/06/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 02/2015, registered at Police Station Chahal, District Raigarh (C.G.), for the offence punishable under Section 304B of I.P.C.

2. Case of the prosecution, in brief, is that, marriage of deceased was solemnized with the present applicant on 02/06/2013 and immediately after marriage, applicant harassing her and treated her with cruelty on account of demand of dowry and on 06/08/2014, poured petrol upon her body and set her on fire, thereafter thrown her dead body into the well.

3. Learned counsel for the applicant would submit that applicant has not committed any offence, which is apparent from the statement of mother of the deceased recorded under Section 161 of the Cr.P.C. He would further submit that there is no evidence to connect him in crime in question. He

would lastly submit that applicant is in jail since 20/01/2015, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that applicant not only harassed her demanding motorcycle but also on 29/07/2014, poured petrol on her body and set her on fire, thereafter thrown her dead body into the well.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the fact that death took place within two years of the marriage and nature of evidence collected by the prosecution against the present applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy ias per rules.

**Sd/-**  
**(Sanjay K. Agrawal)**  
**JUDGE**