

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3306 of 2015**

- Digamber Prasad S/o Abhayram Banjare Aged About 32 years R/o Gram Kekrabhath, Thana And Tah. Dabhra, District (Rev. And Civil) Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh S/o Through Police Station Dabhra, District (Rev. And Civil) Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant: Shri M.A. Latif Rahman, Advocate.
For Respondent/State: Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board By****15/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 92/2015 registered at Police Station – Dabhra, District (Civil & Revenue)- Janjgir Champa for the offence punishable under Sections 304-B/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 21.3.2014 deceased Savita Banjare set herself ablaze after pouring kerosene oil. Her dying declaration was recorded by the

Executive Magistrate on the same day wherein she stated that she poured kerosene on herself of her own volition.

(3) Counsel for the applicant submits that the applicant has falsely implicated in the offence in question as he has not committed any offence. He further submits that her dying declaration was recorded on the same day before the Executive Magistrate, in which, she had stated that she poured kerosene on herself of her own will. He also submits similarly placed co-accused persons i.e. father-in-law & mother-in-law of the deceased have already been released on bail by this Court vide order dated 01.06.2015 and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; looking to the nature & gravity of the offence; and the fact that deceased died within seven years of the marriage and the other material collected by the prosecution against the applicant, I am not inclined to released the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-