

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2906 of 2015**

Mukund Kumar Dhurve, S/o. Late Somaru Ram Dhurve,
aged about 22 years; R/o. Barpara Keshkal, P.S. Keshkal,
Civil and Revenue District Kondagaon (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through: The Police Station
Keshkal, District Kondagaon (C.G.)

---- Non-applicant

For Applicant: Shri Pravin Kumar Tulsyan, Advocate.

For Non-Applicant Shri Om.P. Sahu, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/07/2015**

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.59/2010 registered at Police Station – Keshkal, District Kondagaon for the offence punishable under Sections 304(B) and 302 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that deceased Sarswati

Dhruv, who is said to have been married with Mukund Kumar Dhruv, applicant herein, in the year 2008, said to have been suicide/murdered by the applicant on 31.12.2009 and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as there is delay in lodging the First Information Report; nine prosecution witnesses have already been examined; applicant is in jail since 18.06.2010; charge sheet has already been filed; and no custodial interrogation is required and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that deceased died within two years of the marriage and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the material collected by the prosecution against the applicant and the manner in which offence is said to have been committed, I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

