

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5891 of 2015

1. Rajesh Kumar Rajwade, S/o. Kanshiram Rajwade, aged about 32 years, Occupation-Maleriya Worker, R/o. Village – Majhgawan, Police Station – Baikunthpur, District Korea (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Baikunthpur, District Korea (C.G.)

---- Respondent

For Applicant	: Mr. Rahul Mishra, Advocate
For Respondent/State	: Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/11/2015

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.169/2015, registered at Police Station – Baikunthpur, District – Korea (C.G.) for the offence punishable under Section 306, 506, 294, 304-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that marriage of the applicant was performed with one Pappi Rajwade before six months from the date of incident and it is the case of the prosecution after the marriage, the applicant was doubting about the character of deceased and also harassed her due to which she committed suicide by taking Malaria tables in excessive quantity and died in hospital on 15.07.2015.
3. Learned counsel for the applicant would submit that according the statement of the doctor, Yogendra Chauhan, who has treated the

deceased immediately after she came to the hospital she stated that she herself committed suicide by consuming the medicine, therefore, the allegation under Section 304 of I.P.C. is not attracted. Therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and read out the statement of the mother of the deceased.
5. I have heard learned counsel appearing for the parties.
6. Having regard to the fact that death has caused within six months after the marriage and considering the statement of the mother of the deceased, wherein she has stated that the deceased was subjected to cruelty, I am not inclined to allow this application at this stage.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge