

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6433 of 2015

Chandrasen Khandekar S/o Chandraprakash Khandekar Aged About 29 Years R/o Kumharavand Krishi Vishwavidyalaya Jagdalpur Chhattisgarh. Parmanent R/o Village Daukidah, P.S. And Tahsil Mungeli, Distt. Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Incharge, P.S. Frejarpur (Parpa), Distt. Bastar Chhattisgarh.

---- Respondent

For applicant - Shri Arvind Dubey, Advocate.

For Respondent/State – Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

30/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 122/2015 registered in Police Station Frejarpur (Parpa) Dist. Bastar (C.G.) for offence punishable under section 304 (B) of IPC.
2. As per the prosecution case on 10/07/2015 deceased committed suicide by hanging. She was married to the applicant on 2/05/2015. As per the prosecution story she was subjected to torture for dowry for which she committed suicide.
3. Learned counsel for the applicant submits that deceased was earlier married and that fact was suppressed and that was the reason for hanging it is stated by the dying declaration. He therefore submits that applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the dying declaration wherein statement have

been made for cause of death reason has been attributed to the applicant, therefore this court is not inclined to release the applicant on bail. Entirety of the dying declaration shall be considered and valued by the trial court.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE