

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1847 of 2018**

Onkar Prasad Rathore S/o Balak Ram Rathore, Aged About 30 Years R/o Sivni, Ward No. 11, Police Station Champa, District Janjgir- Champa, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Of Police Station Champa, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri C.P. Lahre and Shri Ravi Maheshwari, Advocates
For the State	:	Shri Samir Behar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**07/05/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 284/2018 registered at Police Station Champa, District Janjgir-Champa (C.G.) for the offence punishable under Section 304-B of Indian Penal Code.
3. Case of the prosecution, in brief is that the marriage of the deceased Nisha Rathore was solemnized with the applicant on 18/04/2017. Applicant and said deceased were reside in village Naya Baradwar. On 21/06/2017 in the night said deceased was admitted in Mission Hospital, Champa by the applicant and his family members. She was

referred in KIMS Hospital, Bilaspur on 22/06/2017 at 4.00 p.m. she died. As per the postmortem report deceased was died due to cardiopulmonary arrest, due to poisoning (insecticidal agent) it was suicidal in nature. After the investigation it was found that applicant was harassing the deceased on account of demand of motorcycle, gas cylinder, washing machine.

4. Learned counsel for the applicant argued that in the statement of the father of deceased recorded during the merg enquiry, he had told that deceased never intimated about the ill treatment of applicant and his family members.
5. After the merg enquiry statement recorded under Section 161 of CrPC of the father of deceased, he stated about the demand of dowry by the applicant.
6. On the other hand, learned counsel for the State opposes the bail application.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-

(Sharad Kumar Gupta)
Judge