

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5678 of 2018**

Laxminarayan S/o Bhukhram Suryvanshi Aged About 38 Years  
R/o- Village Matiyari. P.S. Sipat, Tahsil And District- Bilaspur,  
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- P.S. Sipat, District- Bilaspur,  
Chhattisgarh.

---- Respondent

|                   |   |                                     |
|-------------------|---|-------------------------------------|
| For the Applicant | : | Smt. Kiran Jain, Advocate           |
| For the State     | : | Shri Sangharsh Pandey, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta**

**Order On Board****30/08/2018**

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.116/2018 registered at Police Station Sipat, District Bilaspur (C.G.) for the offence punishable under Sections 304(B), 201 read with 34 of IPC at the time of filing the charge-sheet offence 302 of IPC added.
3. Case of the prosecution, in brief is that the deceased Rajnandini was the resident of village Matiyari. Her marriage solemnized with the Ramnarayan Suryavanshi on 09/05/2017. After the marriage Ramnarayan, mother-in-law Benabai and father-in-law Bhukhram, brother-in-law Jainarayan, sister-in-law (Jethani) Premlata wife of Laxminarayan, sister-in-law (Nanad) Arti and Malti were harassing on account of demand of car as dowry. On 15/04/2018 said persons murdered the deceased and given it the shape of suicide.

4. Counsel for the applicant argued that the applicant was living separately since back 12 years from his parents, at the time of alleged incident applicant was on duty. She draw my attention on the certificate Annexure A/2 and Annexure A/3. Counsel for the applicant further argued that the applicant is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. As per the postmortem report the cause of death of the deceased was cardiac failure as a result of asphyxia due to strangulation. I have gone through the statement of father of the deceased and Ramcharan recorded under Section 161 of CrPC.
7. What would be effect of Annexure A/2 and A/3, would be considered by the trial Court at the time of disposal of the case.
8. 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.
9. Consequently, the MCRC is dismissed.

Sd/-  
(Sharad Kumar Gupta)  
Judge