

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5874 of 2018**

Jitendra Gupta, aged about 26 years, son of Shri Ramdhyan Gupta, resident of Gondwara, Bihari Basti, Burring Ground, Khamtarai, Raipur, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Kabir Nagar, Raipur, District Raipur.

---- Non-applicant

For Applicant : Mr. C.R. Sahu, Advocate
For Non-applicant : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

05.09.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.120/2018 registered in Police Station Kabir Nagar, Raipur, District Raipur for the offence punishable under Sections 304-B, 306 of Indian Penal Code.
3. Prosecution story in brief is that the name of deceased is Ritu Gupta. Her marriage was solemnized with the applicant on 07.11.2014. They were residing in Kabir Nagar, Raipur. After some time of marriage, the applicant harassed the deceased on account of dowry to bring T.V., Fridge, Gas-cylinder, Bed due to which the deceased committed suicide on 14.02.2018 by consuming poison.
4. Counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State would oppose the prayer for grant of bail to the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant.
7. Consequently, the bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE