

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 724 of 2019**

- Sunita Bagh W/o Rupendra Bagh Aged About 53 Years R/o H. No. 171, Sector-2, Kasira Nagar, Telibandha, Police Station Telibandha, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Vidhan Sabha Raipur District Raipur Chhattisgarh

.....Non Applicant

 For the Applicant : Shri Nalin Soni, Advocate

 For Non Applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****06.03.2019**

1. This is third bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was rejected on 07.09.2018 by this Court in MCRC No. 5930 of 2018, her second bail application was rejected by this Court on 11/12/2018 in MCRC No.8918 of 2018, considering the prima facie case against her.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.274/2018 registered at Police Station- Vidhan Sabha, Raipur District- Raipur (C.G.) for the offence punishable under Section 306/34 of the Indian Penal Code.
4. Case of the prosecution, in brief, is that deceased Prafull Dubey was aged about 36 years old on the date of incident. He was resident of Housing Board Colony, Dhansuli. The deceased demanded his loan amount from coaccused Vikram Bagh then coaccused Vikram Bagh and his brother and the present applicant misbehaved with the deceased due to which deceased Prafull Dubey committed suicide on 14.06.2018 by hanging himself. The applicant Sunita Bagh is the mother of the coaccused Vikram Bagh.
5. Learned counsel for the applicant submits that applicant is suffering from chronic kidney disease and she is a Government servant, thus he may be released on bail.
6. Earlier while deciding the first bail application of the applicant this Court has made the observation that there is no such material available on record on the strength of which it can be said that non functioning of one kidney is a fatal for the life of the applicant.
7. Looking to the facts and circumstances of the case, looking to this fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in second round of litigation. Consequently, the second bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Parul