

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2562 of 2019**

Babloo Giri @ Rohit Giri S/o Shyam Sunder Giri Aged About 25 Years
R/o Kashinagar, Budhwari, Korba, Tahsil And District Korba
Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kotwali, Korba District Korba Chhattisgarh., District : Korba,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Amit Kumar, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/04/2019**

1. This is the third bail application under Section 439 of the CrPC. Earlier first bail application was dismissed for want of prosecution by this Court on 18/01/2019 in MCRC No. 9865/2018. His second bail application was also dismissed for want of prosecution by this Court on 05/04/2019 in MCRC No. 1698/2019.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.603/2018 registered at Police Station Kotwali, Korba, District Korba (C.G.) for the offence punishable under Section 306 of IPC.
3. Case of the prosecution, in brief is that the name of deceased is Smt. Pooja Giri. She is wife of applicant. On 12/07/2018 she committed suicide by hanging. The marriage of the deceased was solemnized with applicant two years ago from the alleged incident. After the marriage applicant was harassing her on account of demand of cash as dowry.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, thus, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. She further submits that eight other criminal cases have been registered against the applicant out of which six under CrPC and two under IPC.

6. Counsel for the applicant further submitted that father of the deceased, brother of the deceased have been examined in the trial Court who turned hostile and not supported the prosecution case. He drew my attention on the true copy of the statements of PW-1 Dilip Giri and PW-3 Manoj Giri which are part of the bail application.
7. In the case in hand some other witnesses including mother of the deceased, neighbour of applicant have to be examined.
8. Looking to the above mentioned facts and circumstances of the case, looking to this fact that eight other criminal cases have been registered against the applicant, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde