

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3064 of 2019**

Atul Sharma S/o Shri Virendra Kumar Sharma, Aged About 35 Years R/o Shivbakshkheda, P. S. Achalganj, District Unnav, Uttarpradesh. Presently Residing At Durganagar, C/o Suresh Tiwari, P. S. Bhanpuri, Khamtarai, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Khamtarai, Tehsil And District Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri P. Chetan Kumar, Advocate
appearing on behalf of Shri B. Gopa Kumar,
Advocate

For the State : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**25/06/2019**

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.44/2019 registered at Police Station Kmamtarai, Raipur District Raipur (C.G.) for the offence punishable under Section 304 B of IPC.
3. Case of the prosecution, in brief is that applicant is the husband of deceased Kamlesh Devi @ Neha. The marriage of deceased was solemnized with applicant in the year 2016. After the marriage applicant was harassing deceased on account of dowry. On 18/02/2018 deceased committed suicide by hanging.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he may be released on bail.

5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Counsel for the applicant further submitted that applicant is in jail since 01/02/2019. He drew my attention on Annexure-A/2, which is part of the bail application.
7. What would be the effect of Annexure-A/2 it would be considered at the time of appreciation of evidence. At this stage this Court cannot appreciate the evidence.
8. Looking the above mentioned facts and circumstances of the case, looking to the material available on record 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