

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4637 of 2019**

- Ghanshyam Narang S/o Shri Naresh Narang Aged About 28 Years R/o Village Chhachhanpairi, Police Station Mujgahan, Tahsil Abhanpur, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mujgahan, District Raipur Chhattisgarh

-----Non Applicant

For the Applicant : Mr. Dashrath Kushwaha, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****02.08.2019**

1. This is second 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 by this Court by order dated 09.05.2019 passed in MCRC No.2811 of 2019 considering prima facie case against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.71/2019 registered at Police Station- Mujgahan, District- Raipur(C.G.) for the offence punishable under Section 304/B of the Indian Penal Code.
4. Case of the prosecution, in brief, is that the applicant is husband of

deceased Smt. Punni Bai Narang. The marriage of the deceased was solemnized with applicant six years ago. After the marriage, the applicant was harassing the deceased on account of demand of dowry and suspicions upon her character.

5. Counsel for the applicant submitted that charge sheet has been filed. Deceased had not stated against the applicant in her dying declaration thus, applicant may be released on bail.
6. On the other hand, learned counsel for the State opposed the bail application. However, she submitted that no criminal antecedent is reported against the applicant in police case diary.
7. Some witnesses had stated against the applicant in their statements recorded under Section 161 Cr.P.C.
8. Looking to the above mentioned facts and circumstances of the case, looking to the impact of granting bail to the applicant on society, there is no change of circumstance which may entitle the applicant to be released on bail in second round of litigation. Consequently, the second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
Judge

pm