

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5603 of 2019**

Ranjit Yadav S/o Santram Yadav Aged About 21 Years R/o
 Ramnagarpara, Naila, Outpost Naila, P. S. Janjgir District Janjgir Champa
 Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through P. S. District Magistrate, District Janjgir
 Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Ashutosh Trivedi, Advocate
For the State	:	Shri D.K. Tiwari, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/09/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was dismissed for want of prosecution on 02/08/2019 in MCRC No. 4057/2019.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.13/2019 registered at Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Section 304 (B) of IPC.
3. Prosecution story in brief is that applicant is the husband of the deceased Smt. Neetu Yadav. The marriage of the applicant and deceased was solemnized on 23/04/2017. After marriage applicant was harassing deceased on account of demand of motorcycle, freeze and luxurious item as dowry, as a result she committed suicide by hanging.
4. Counsel for the applicant submitted that the applicant is an innocent person and has been falsely implicated in the present case. He drew my attention on alleged Panchanama ghatnasthal dated 29/09/2018 wherein it has been mentioned that one copy was also seized from the place of occurrence wherein it has been mentioned that allegedly deceased deceived applicant, applicant and his family members were used to love her, thus applicant may be released on bail.

5. Counsel for the State opposed the bail application. He further submitted that there is no previous antecedent is registered against the applicant in police case diary.
6. Considering the entire material *prima facie* 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, applicant is not entitled to get benefit of Section 439 CrPC. Accordingly, second bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde