

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8060 of 2019**

Smt. Rajo Bai W/o Panchram Yadav Aged About 53 Years R/o Village
Semariya, Thana Palari, District Balodabazar-Bhatapara Chhattisgarh,
District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Palari, District Balodabazar-Bhatapara Chhattisgarh, District :
Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For the Applicant	:	Ms. Supriya Upasane, Advocate
For the State	:	Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/12/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier her first bail application was rejected by this Court on 20/06/2019 passed in MCRC No. 3626/2019 considering *prima facie* case against her.
2. The applicant has been arrested in connection with Crime No. 107/2019 registered in Police Station Palari, Distt. Balodabazar Bhatapara (C.G.) for offence punishable under Section 304-B of IPC.
3. Prosecution story in brief is that name of deceased is Arti Bai Yadav. She was resident of village Vatgan. Her marriage was solemnized with Yogendra Yadav in the month of May, 2017. After marriage, the applicant and co-accused Yogendra Yadav used to harass her on the ground of bringing sub-standard articles in dowry and asked to bring better articles in dowry. On account of harassment, the deceased pored kerosene on her body and set herself ablaze and committed suicide.
4. Counsel for the applicant submitted that age of applicant is more than 50 years, she is in jail since long back, four witnesses have been examined who did not support the prosecution case, thus applicant

may be released on bail.

5. This is well settled legal position that delay in trial is a material factor for disposal of the bail application but it is also equally true that seriousness of the offence and impact of granting bail to the accused on society which more important and material factors for disposal of the bail application of the accused.
6. Not supporting of some witnesses is itself not a sufficient ground to enlarge accused on bail. Moreover in the case in hand other witnesses are to be examined.
7. Looking to the above mentioned facts and circumstances of the case, this Court finds that it is not a fit case where the applicant released on bail in second round of litigation. Consequently, second bail application of the applicant is rejected. However, trial Court is directed to expedite the trial as soon as possible.

Sd/-

(Sharad Kumar Gupta)
Judge