

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1021 of 2020**

Ravi Yadav S/o Shri Somaru, Aged About 21 Years R/o Village Puhputara, Tilgapara, Police Station And Tahsil Lakhanpur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Lakhanpur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For the Applicant	:	Shri Rishi Rahul Soni, Advocate
For the State	:	Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/02/2020**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court vide order dated 08/05/2019 passed in MCRC No.2757/2019 considering *prima facie* case against him.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.215/2018 registered at Police Station Lakhanpur, District Surguja (C.G.) for the offence punishable under Section 306/34, 498A/34 & 302/34 of IPC.
3. Case of the prosecution, in brief is that applicant is husband of deceased Anchal Yadav the marriage of deceased was solemnized with him. On 18.04.2018 after sometime of marriage, applicant was harassing her on account of demand of cash Rs.50,000/- for purchasing motorcycle. Other co-accused were also used to beat her. On 24.10.2018, deceased consumed poison as a result of which she died.
4. Counsel for the applicant submits that applicant is in jail since 14/12/2018, out of 28 witnesses 3 witnesses have been examined and co-accused have been released on bail thus applicant 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 is reported against the applicant in police case diary.
6. This is true that detention period of the accused and delay in trial are material factors for disposal of the bail application filed by the accused. But equally it is also true that seriousness of the offence and impact of granting bail to the accused on society are more important and material factors for disposal of the bail application filed by the accused.
7. While dealing the first bail application this Court has already considered the aspect of the granting of bail to the co-accused and distinguished the case of applicant from those co-accused.
8. Looking to the above mentioned facts and circumstances of the case, this Court finds that this is not a fit case where the applicant may release on bail in second round of litigation. Consequently his 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