

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1058 of 2020**

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

---- Applicant

Versus

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

---- Non-applicant

For Applicant : Ms. N.K. Kashyap, Advocate.

For Non-applicant : Shri Raghvendra Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

13.02.2020

1. This is third 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 on 09.05.2019 in MCRC No. 2811 of 2019 considering the prima facie case against the applicant and the second bail application of the applicant has been rejected by this Court on 02.08.2019 in MCRC No. 4637 of 2019 considering the prima facie case against the applicant.
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. Puni 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. Learned counsel for the applicant argued that number of the witnesses have been examined, they did not support the prosecution case, the deceased did not state anything against the applicant in her dying declaration. Thus, he may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application. However, he submits that no criminal antecedent is reported against the applicant in the police case diary.
7. While dealing with the second bail application this Court has considered the dying declaration of the deceased.
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 be enlarged on bail in third round of litigation. Consequently, the third bail application of the applicant is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE