

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3155 of 2020**

- Bhagwat Dewangan, S/o Ramu Lal, Aged About 32 Years, R/o Panchmukhi Hanuman Nagar, Ratnabandha, Dhamtari, Tahsil & District- Dhamtari (C. G.).

---- Applicant**Versus**

- State of Chhattisgarh, Through- Police Station- City Kotwali, Dhamtari, District- Dhamtari (C. G.).

---- Respondent

For Applicant	:	Mr. Dashrath Kushwaha, Adv.
For Respondent/State	:	Ms. Sunita Jain, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.08.2020**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 348/2019 registered at Police Station- City Kotwali, Dhamtari, District- Dhamtari (C.G.) for the offence punishable under Sections 304B, 34 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after examination of the material witnesses vide order dated 14.01.2020 passed in MCRC No. 7462/2019.
3. The prosecution story, in brief is that, marriage between deceased and the applicant was solemnized on 22.09.2016. The deceased committed suicide on 06.09.2019 by hanging herself. Allegedly, after the marriage, the applicant along

with other co-accused persons harassed and tortured the deceased on account of demand of dowry. Soon before her death also, on the same ground, she was harassed and tortured by the applicant and other co-accused person due to which the deceased committed suicide. Based on this, offence has been registered. Present applicant has been taken into custody on 17.08.2019.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that other co-accused have been granted bail in MCRCA Nos. 1508/2019 & 1578/2019 vide order dated 09.12.2019. The applicant is in jail since 17.08.2019, there is no likelihood of his case being decided in near future, therefore, the present appellant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application submitting that the offence committed by the applicant is of serious in nature, so, it is not a fit case to release him on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
8. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**