

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3988 of 2020

Khilesh Patel S/o Shri Aatma Ram Patel Aged About 24 Years By Profession-
Cultivator, R/o Village- Raitum, Police Station- Patewa, Tahsil And Civil And
Revenue District Mahasamund, Chhattisgarh **----Applicant**

Versus

State Of Chhattisgarh Through- P.S.- Patewa, Civil And Revenue District And
District Mahasamund, Chhattisgarh **---- Respondent**

For Applicant	:	Shri J.A. Lohani, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/08/2020

Heard.

1. The applicant has been arrested in connection with Crime No.105 of 2020 registered at Police Station- Patewa, District Mahasamund (CG) for the alleged commission of offence under Section 306/34 of IPC.
2. Case of the prosecution is that the deceased, wife of the applicant, was being tortured many ways including serious aspersion on her colour. It is the allegation that because of continuous torture and harassment, deceased committed suicide.
3. Learned counsel for the applicant submits that merely because applicant happens to be the husband, it has been assumed without any basis that the applicant harassed and tortured his wife. He submits that the allegations are common against the applicant and his parents. He would further submit that in the morgue intimation lodged by the applicant's father, true story has been disclosed that on the fateful day, some slanderous comments were made on the deceased by applicant's mother, which alone was alleged abetment for the prosecutrix to commit suicide. This does not involve the applicant anywhere.
4. On the other hand, learned State counsel opposes the prayer and submits

that the case diary statement of prosecution witnesses are that the deceased was being subjected to harassment and torture by all in-laws including present applicant and deceased was being harassed by saying that she carries a dark complexion and even dissatisfaction on demand of dowry was also being expressed time and again.

5. Having considered the submission of learned counsel for the parties, case diary statement and that the wife of the applicant, a young lady committed suicide in the matrimonial house, present is not a fit case for grant of bail. The bail application is rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge