

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1402 of 2021**

- Tejendra Kumar Diwan S/o Dolamani Diwan, Aged About 27 Years R/o Village Potapara, Thana And Tahsil Saraipali, District Mahasamund Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Saraipali, District Mahasamund Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Vikas Pradhan, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

The applicant has filed **Third Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 231/2017 registered at Police Station: Saraipali, District Mahasamund (C.G.) for the offence punishable under Sections 304B/34, 498A/34 of the IPC.

The second bail application of the applicant was dismissed on 17.08.2020 passed in MCRC No. 3810/2020.

As per the prosecution case, the allegation against the present applicant is that he along with other family members used to harass the victim on demand of dowry, due to which, being harassed, she committed suicide by consuming poison.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He would next

contend that in the second bail application of the applicant, six months' time was given to the trial Court to conclude the trial but the trial has not been concluded yet. Furthermore, the applicant is in jail since 28.11.2017, therefore, the present applicant may be released on bail.

Per contra, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the case diary.

After rejection of his second bail application on merit, I do not find any change in circumstances, therefore, no case is made out for grant of bail.

Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

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