NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5138 of 2021

1. Rajeshwar Banjare S/o Ashok Banjare Aged About 32 Years R/o Village Tulsi, Thana Mandir Hasaud, District Raipur (C.G.).

---- Applicant

Versus

1. The State Of Chhattisgarh Through Thana Mandir Hasaud, District Raipur (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Samir Singh, Advocate.
For Non-Applicant/State	:	Mr. Rahim Ubwani, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya
Order on Board

04/08/2021

1) The matter is heard through video conferencing.

2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in custody since 16/06/2021 in connection with Crime No. 291/2019, registered at Police Station Mandir Hasaud, District Raipur (C.G.) for the offence punishable under Sections 306 of Indian Penal Code.

3) As per prosecution case, marriage of the applicant with the deceased Rupa Dahariya was solemnized on 22/04/2014 and after marriage the applicant started ill treating the deceased in connection with demand of money and giving birth to 2 girls. Hence, being fed up with this persistent ill treatment, she committed suicide on 21/01/2018 in the night at her matrimonial home by hanging herself.

4) Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. He

submits that the applicant is in jail since 16/06/2021 and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

5) On the other hand, learned counsel for the respondent/State opposes the bail application.

6) I have heard the learned counsel appearing for the parties.

7) Considering the facts and circumstances of the case, the fact that the deceased committed suicide within 4 years of her marriage, the statements of the witnesses revealed that the applicant used to ill treat the deceased over demand of money and for giving birth to two girls, the applicant also used to beat her after consuming liquor, as per statements of parents of the deceased money was given to the applicant on number of occasions by her parents and other material available on record, without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant