

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9170 of 2020**

- Sanjay Singh, S/o Goverdhan Singh, Aged About 40 Years, R/o Village Sambalpur, Post Sambalpur, Police Station - Doundilohara, District Balod Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh, Through Police Station Doundilohara, District - Balod Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Prasoon Agrawal, Adv. |
| For Respondent/State | : Mr. R.K. Sahu, Dy. G.A.   |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****10.03.2021**

1. The accused/applicant has moved this **third bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 222/2019 registered at Police Station- Doundilohara, District - Balod (C.G.) for the offence punishable under Sections 304B, 34 of IPC and Section 4 of Dowry Prohibition Act, 1961.
2. Earlier, the first bail application of the applicant was dismissed as withdrawn with liberty to file the same at an appropriate stage vide order dated 16.03.2020 passed in MCRC No. 8378/2019 by this Court.
3. The second bail application of the applicant was rejected vide order dated 04.08.2020 passed in MCRC No. 3882/2020 by this Court.
4. The prosecution story, in brief is that, on 06.11.2019, at about 17:45 hrs, the ward boy of the government hospital Daundilohara informed the police authorities that the deceased namely Kareena Rajpoot had died. During the investigation, the authorities came to the knowledge that the applicant along with his family members used to harass and torture the deceased as a result of which, she

committed suicide. Thereafter, offence has been registered against the present applicant and he has been taken into custody.

5. 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 there are total three accused persons in which two co-accused persons have been acquitted by the trial Court. He next added that father and mother of the deceased have not supported the prosecution case and turned hostile and the applicant is in jail since 08.11.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that father and mother of the deceased have not supported the prosecution case and turned hostile. The applicant is in jail since 08.11.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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