

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 8892 of 2021

- Rajeshwar Banjare S/o Ashok Banjare, 32 years, R/o Village Tulsi, P.S. Mandirhasaud, District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through : P.S. - Mandirhasaud, District Raipur (C.G.)

---- State/Non-applicant

For Applicant	:	Shri Prafull Bharat, Senior Advocate with Shri Keshav Dewangan, Advocate
For Respondent/State	:	Dr.(Ms.) Veena Nair, Deputy Advocate General

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

10.12.2021

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he is in jail since 16.06.2021 in connection with Crime No. 291/2019 registered in Police Station – Mandir Hasaud, District Raipur (CG) for the offence punishable under Section 306 of IPC.
2. The first bail application of the applicant was dismissed on merits by this Court vide order dated 04.08.2021 passed in M.Cr.C. No. 5138/2021.
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 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, charge-sheet has already been filed 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 State opposes this second bail application.
6. Considering the facts and circumstances of the case, looking to the fact that the first bail application of the present applicant has been rejected on merits by this Court with reasons in detail in para-7 of the order, trial is in progress in this case and in near future case is likely to be disposed of by the trial Court, the evidence so far recorded before the trial Court cannot be appreciated at this stage by this Court, the gravity of offence, there is no change in circumstances, I am not inclined to grant bail to the present applicant.
7. Accordingly, this second bail application is dismissed.

Sd/-

(Gautam Chourdiya)
Judge