

Dhiru @ Sharda Saket vs The State Of Madhya Pradesh on 6 May, 2019

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MCRC-

The High Court Of Madhya Pradesh

MCRC-18562-2019

(DHIRU @ SHARDA SAKET Vs THE STATE OF MADHYA PRADESH)

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Jabalpur, Dated : 06-05-2019

Shri P.N. Mishra, counsel for the applicant.

Shri Rajesh Tiwari, Govt. Advocate for the respondent/State.

Heard with the aid of case diary.

This is Third bail application filed by the applicant under Section 439 of Cr.P.C.

Applicant Dhiru @ Sharda Saket was arrested on 18.04.2018 in Crime No.220/2018 registered at Police Station Rampur Baghelan, District Satna (M.P.) for the offence punishable under Section 304B, 498A of IPC and Section 3/4 of Dowry Prohibition Act.

First bail application of the applicant has been dismissed as withdrawn with liberty to file afresh after recording the statement of material witnesses vide order dated 10.08.2018 in M.Cr.C.No.29778/2018 and second bail application has been dismissed as withdrawn vide order dated 18.03.2019 in M.Cr.C.No.6998/2019.

As per the prosecution case, on 01.03.2018 deceased Meena Saket wife of applicant Dhiru @ Sharda Saket set ablaze herself after pouring kerosene due to which she sustained burn injury and died during treatment on 08.03.2018. It is alleged that applicant Dhiru @ Sharda Saket, husband of the deceased and co-accused Durga Prasad Saket father-in-law, Vimla Saket, mother-in-law used to harass the deceased and demanded dowry and applicant also assaulted her, due to which, she committed suicide within one year of her marriage.

Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the offence. Other co-accused have already been granted bail by this Court vide order dated 10.07.2018 in M.Cr.C.No.19058/2018. The statements of parents of the deceased have been recorded by the trial court. The applicant is in custody since 18.04.2018 and the conclusion of trial is likely to take long time, hence prayed for release of the applicant on bail.

Learned counsel for the State opposed the prayer and submitted that applicant is the husband of the deceased and it is alleged that he used to harass the deceased and assaulted her and also demanded dowry due to which she committed suicide within one year of her marriage. So, he 2 MCRC-18562-2019 should not be released on bail.

Looking to the facts and circumstances of the case and the allegation that applicant who is the husband of the deceased used to harass and assault the deceased and demanded dowry and deceased committed suicide within one year of her marriage and statements of other material witnesses of the prosecution are yet to be recorded. So, this Court is not inclined to grant bail to the applicant.

Accordingly, the bail application is rejected.

(RAJEEV KUMAR DUBEY) JUDGE (ra)