

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2526 of 2015**

Dharmendra Sahu, son of Suklal Sahu, aged about 30 years, resident of Shankar Nagar, Near Durga Chowk, P.S. Mohan Nagar, Civil and Revenue District Durg (CG)

---Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, P.S. Mohan Nagar, Civil and Revenue District Durg (CG)

---Non-applicant

For Applicant	:	Mr. Sunil Pillai, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/07/2015**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.17/2015, registered at Police Station-Mohan Nagar, Distt.Durg (C.G.), for the offence punishable under Section 306/34 of the IPC.

2. Case of the prosecution, in brief, is that on account of instigation and abetment by the applicant, his wife Rameshwari committed suicide on 24.11.2014.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has falsely been implicated in offence in question. Learned counsel would further submit that other co-accused have been released on bail. The applicant is in jail since 14.1.2015, charge-sheet

has already been filed on 7.4.2015 after withdrawal of first bail application and there is no evidence to connect the present applicant in crime in question. Learned counsel would also submit that the applicant had entered into love marriage with the deceased in the year 2013.

4. On the other hand, learned counsel for the State would oppose the bail application.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; material collected on behalf of the prosecution, role of the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the second bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE