

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3095 of 2015**

Jaydev Burman @ Raja, S/o Late Jitendra Burman Aged About 25 years; R/o Murti Line, Jagdalpur, P.S. Bodhghat, Civil & Revenue Distt. Bastar (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through- The Police Station- Bodhghat, Distt. Bastar (C.G.)

---- Respondent

For Applicant:	Shri P.K. Tulsyan, Advocate.
For Respondent/State:	Shri Aditya Sharma, Panel Lawyer

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

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.62/2015 registered at Police Station – Bodhghat, District Bastar for the offence punishable under Section 306 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant is alleged to have abetted/instigated his wife-Monouti Burman, (since deceased) who is married to the applicant on 18.11.2013, to commit suicide and on account of frustration and humiliation,

she committed suicide by hanging herself on 22.08.2014.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as there is no evidence on record to connect the applicant with the crime in question; there is delay of eight months in lodging the First Information Report; and the story of illicit relation of the applicant with other woman is false and fabricated and, as such, he is in jail since 12.03.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State, while referring the statement of father of deceased namely Mahadeo, submits that deceased died within ten months of the marriage.

(5) Taking into consideration the facts & circumstances of the case: looking to the nature & gravity of the offence; and the fact that deceased died within ten months of the marriage and the manner in which the deceased is alleged to have abetted/instigated to commit suicide by the applicant, I am inclined to release the applicant on bail. Therefore, the bail application is rejected. However, the trial Court is directed to expedite the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-