

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3203 of 2015

- Bhagwan Das s/o. Shankar Lal Sahu, aged about 29 years, r/o. Village Kutulbod, Bhathagaon, Sirrapara, Police Station Lalbag, Tahsil-Dongargaon, District Rajnandgaon (CG).

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station Lalbag, District Rajnandgaon (CG).

---- Respondent

For Applicant	:	Mr. Basant Dewangan, Advocate
For Respondent/State	:	Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 14-2-2015 in connection with Crime No. 45 of 2015 registered at Police Station Lalbag, District Rajnandgaon (CG), for the offence punishable under Sections 498-A of IPC.
2. The case of the prosecution, in brief, is that the marriage of Smt. Madhvi Sahu was solemnized with present applicant ten years back and immediately after the marriage present applicant harassed and treated her with cruelty as a result of which she committed suicide by puring kerosene.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that the applicant has already been discharged for offence under Section 306 of IPC. The marriage of the present applicant with deceased Madhvi Sahu was solemnized ten years back and he has two daughters, charge-sheet has been filed, he is in jail since 14-2-2015 and no useful purpose would be served by detaining him in jail, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposing the bail application would submit that the wife of the applicant committed suicide on account of cruelty meted out by the applicant.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration all the facts and circumstances of the case, nature and gravity of the offence, role of the present applicant, charge-sheet has been filed, pre-trial detention of the applicant, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be released on bail.
7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on his furnishing a personal bond of Rs.25,000/- along with one surety of the like amount to the satisfaction of the trial Court. He shall appear before the trial court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge