

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3727 of 2015**

Mahaveer Sahu, S/o. Shri Fagu Ram Sahu, aged about 32 years, R/o. Podi Thana Bilha, Tahsil Bilha, Distt. Bilaspur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Bilha, District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Mr. Amit Kumar Chari, Advocate.
For Respondent/State: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

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. 106/2015 registered at Police Station Bilha, Distt. Bilaspur for the offences punishable under Sections 498(A) & 306/34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on account of abetment extended by the applicant and co-accused Jaleshwar @ Jalaram, his wife Rajni committed suicide on 01.12.2009.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as there is delay of six years in lodging the First Information Report; and there is no role of the applicant in the death of deceased. He further submits that applicant is in jail since 20.05.2015; 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 Gangaram, submits that applicant has actively participated in the offence in question.

(5) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 20.05.2015; and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to 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

