

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3828 of 2015**

Niranjan Verma, S/o Shri Kanhaiya Verma, aged about 35 years, R/o-Village-Godhi, Post Office & Police Station – Dharsiwa, Raipur, Tahsil & District Raipur (CG)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Dharsiwa, Raipur, District Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy.Government Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/08/2015**

1. This is the first 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.111/2015, registered at Police Station-Dharsiwa, District-Raipur (CG), for the offence punishable under Section 306 of the IPC.

2. Case of the prosecution, in brief, is that the present applicant abated to his wife to commit suicide by which she committed suicide on 23.2.2015 and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that there is delay in lodging the F.I.R. as the F.I.R. has been lodged on 14.4.2015. There is no evidence that the applicant instigated to his wife to commit suicide and there is no evidence against the applicant to connect him in

crime in question. He is in jail since 22.4.2015 and charge-sheet has already been filed. Learned counsel would also submit that the applicant has one son and one daughter after death of Kaveri Verma and as such, no further interrogation is required and therefore, he may be released on regular bail.

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, extent of delay in lodging the F.I.R. and also considering the nexus and proximity between the conduct and behaviour of the applicant with suicide committed by the deceased, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the 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

B/-