

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3954 OF 2015**

Pramod Kumar Chouhan S/o Late Faguram Chouhan, aged 28 years, R/o Koylanga, P.S. Chakradhar Nagar, Raigarh, Tah. Raigarh, Civil and Revenue Distt. Raigarh, Distt. Raigarh (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through: Police Thana-Chakradhar Nagar, Raigarh, Distt. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Non-applicant	:	Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

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. 144/15, registered at Police Station Chakradhar Nagar, Raigarh, for the offence punishable under Section 306 of I.P.C.

2. Case of the prosecution, in brief, is that, Smt. Sarita Chouhan committed suicide on account of instigation/abatement extended by the present applicant and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that there is no evidence to connect the applicant in offence in question. He would lastly submit that charge sheet has

been filed and applicant is in jail since 11/05/2015 therefore, he may be released on 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; role of the present applicant in offence in question; and also considering the extent of nexus and proximity between conduct and behavior of the present applicant with the suicide committed by the deceased; charge sheet has been filed and applicant is in jail since 11/05/2015, 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 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