

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4099 OF 2015**

K. Gurumurti, S/o Late P.V. Krishnan, R/o L.I.G. 18E, Dindayal Housing Board
Rampur, P.S. City Kotwali, Korba, Tashil Korba, Revenue & Civil District
Korba (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer Balco Nagar (wrongly
typed as District Magistrate Korba, in the cause title of order of court below),
Revenue & Civil District Korba (C.G.)

---Non-applicant

For Applicant	:	Mr. Surfaraj Khan, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/08/2015**

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. 137/2015, registered at Police Station Balco Nagar, District Korba (C.G.), for the offence punishable under Section 306 of the I.P.C.

2. Case of the prosecution, in brief, is that, on account of instigation and abatement extended by present applicant, his wife Neetu committed suicide on 19/06/2015 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 deceased entered into inter caste-cum-love marriage with the applicant and the marriage was not accepted by deceased's family members, for which, she remained upset throughout and on account of humiliation and frustration, she committed suicide on 19/06/2015. He would lastly submit that charge sheet has been filed and applicant is in jail since 28/06/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that applicant used to beat the deceased after having been in drunken condition, as such, abated to deceased to commit suicide.

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; pretrial detention of the applicant; role of the applicant in offence in question; charge sheet has been filed and also considering the extent of nexus and proximity between conduct and behavior of the present applicant with the suicide committed by the deceased, 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.

Tiwari

Sd/-
(Sanjay K. Agrawal)
JUDGE