

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4574 of 2015**

Peelaram, son of late Shri Bhagwan Singh, aged about 42 years, resident of village Mudghusri, Police Station Takhatpur, Civil and Revenue District Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Takhatpur, Civil and Revenue District Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Kamal Kishore Patel, Advocate
For Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

07/09/2015

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.149/2015, registered at Police Station-Takhatpur, District Bilaspur (C.G.), for the offence punishable under Sections 498A and 306/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and other two co-accused persons have abated deceased Kanchan Shyam to commit suicide, by which she committed suicide on 24.4.2015 and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the present applicant is father-in-law of the deceased and there is no evidence against him to connect him in crime in question, the deceased and her husband both are residing separately from his son Upendra Shyam for long time, as such, he is in jail since 6.6.2015 and

charge-sheet has already been filed and therefore, he may be enlarged 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; nature of allegation; relationship of the applicant with the deceased; pre-trial detention of the applicant and the fact that charge-sheet has already been filed, 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

B/-