

# HIGH COURT OF CHHATTISGARH, BILASPUR

## MCRC No. 6112 of 2015

**Sudhan Kumar Chouhan**, son of late Raghunath Ram Chouhan, aged about 40 years, caste Chik, resident of village Tangargaon, Police Station Kansabel, District Jashpur, Civil & Revenue District Jashpur, Chhattisgarh (C.G).  
--- **Applicant**

### **Versus**

State of Chhattisgarh through S.H.O. Police Station Kansabel, District Jashpur, Chhattisgarh  
--- **Non-applicant**

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| For the applicant  | : | Mr. A. K. Prasad, Advocate   |
| For the Respondent | : | Mr. S.R.J. Jaiswal, Advocate |

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### **Hon'ble Shri Justice Goutam Bhaduri**

#### **Order on Board**

**17.11.2015**

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 101/2015 registered at P.S. Kansabel, Distt. Jashpur (C.G) for the offence punishable under Sections 306 of IPC.
2. As per the prosecution case the wife of applicant committed suicide by hanging in the mid night of 09.05.2015. The allegation against the applicant is that after consuming liquor, the applicant used to beat the deceased and she also objected to consumption of liquor and he abetted his wife to commit suicide.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and there is no case of abetment is made out against this applicant. He further submits that the evidence collected by the prosecution will not lead to show that because of abetment caused by this applicant, the deceased has committed suicide.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the charge sheet in this case has already been filed and considering the degree of alleged offence in

proportionate with available evidence, without any observation on merits of the case, I am inclined to allow this application.

6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court on each and every date as may be given by the said court.
7. Cc as per rules.

**Sd/-**  
**GOUTAM BHADURI**  
**JUDGE**

Rao