

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2272 OF 2015**

Tal Singh Bandhe, aged about 28 years, Budharu Bandhe, resident of Village Ganiyari, Police Station Utai, District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police Station Utai, District Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. L.C. Dash, Advocate.
For-Non-applicant	:	Mr. Siddharth Rathore Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/07/2015**

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. 66/2015, registered at Police Station Utai, District Durg (C.G.), for the offence punishable under Sections 306, 498-A of Indian Penal Code.

2. Case of the prosecution, in brief, is that applicant's wife Smt. Mongra Bandhe, aged about 26 years committed suicide on 20/01/2015 on account of abatement/instigation by the present applicant.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question as the deceased has earlier also attempted to commit suicide. He would further submit that applicant is in jail since 10/03/2015 and no useful purpose would be served by keeping him in jail. He would lastly submit that

charge sheet has been filed therefore, applicant may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that on account of cruelty extended by present applicant doubting her character, she committed suicide on 20/01/2015 by 99% burn injury.

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, material collected by the prosecution, burn injury received by the deceased and the extent of proximity and nexus of the conduct and behavior of present applicant with the suicide committed by the deceased, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE