

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3038 OF 2015**

Vishnu Sahu S/o Khilawan Sahu, aged about 26 years, R/o village Semariya
Sahu, Nandini Nagar, Tahsil and District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh through Police Station Nandini Nagar, District Durg
(C.G.)

---Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

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. 44/2015, registered at Police Station Nandini Nagar District Durg (C.G.), for the offence punishable under Section 306 of Indian Penal Code.

2. Case of the prosecution, in brief, is that present applicant abducted/instigated his wife Manisha Sahu to commit suicide and thereby she committed suicide.

3. Learned counsel for the applicant would submit that there is no evidence to connect the applicant in crime in question except general allegation of *Marpeet* against the applicant. He would further submit that First Information Report delayed by two months as she was committed suicide on

02/12/2014 and First Information Report has been lodged on 01/03/2015. He would further submit that no custodial interrogation is required. He would lastly submit that charge sheet has been filed and applicant is in jail since 05/05/2015 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 assaulted the deceased on 16/11/2014.

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; proximity and nexus between conduct and behavior of the accused/applicant with the suicide committed by the deceased; extent of delay in lodging the First Information Report; pretrial detention of the applicant and charge sheet has 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