

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4542 OF 2015**

Manohar Lal Sahu S/o Manbodh Sahu aged about 30 year R/o village Bandari Police Chowki Bhatgaon Police Station Bilaigarh District (Revenue and Civil) Balodabazar-Batapara (C.G.)

---Applicant

Versus

State of Chhattisgarh through Police Station Bilaigarh District (Revenue and Civil) Balodabazar-Batapara (C.G.)

---Non-applicant

For Applicant	:	Mr. Sumit Jhanwar, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/09/2015**

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.177/2015, registered at Police Station Bilaigarh, District (Revenue & Civil) Balodabazar-Batapara (C.G.), for the offence punishable under Section 306 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on account of instigation/abatement extended by the present applicant, his wife-Seema Sahu committed suicide on 03/03/2015.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case, which is apparent from the fact that FIR has been lodged on 09/06/2015. He would further submit that deceased-Seema Sahu committed suicide, as she was

issueless and there is no evidence of assault by the present applicant, which is apparent from the Statement of Teerathmati. He would lastly submit that charge sheet has been filed and applicant is in jail since 19/06/2015 therefore, he may be released 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 in offence in question; extent of nexus and proximity between conduct and behaviour of the accused with the suicide committed by the deceased; charge sheet has already been filed and pretrial detention of the applicant, 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