

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4848 OF 2015**

Shambhu Lal son of Dharam Singh aged about 39 years R/o Tulsi P.S.
Navagarh District Janjgir-Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh through the Station House Office, Police Station
Navaragh, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant	:	Mr. Nayan Kumar Chatterjee, Advocate
For Non-applicant	:	Ms. Madhunisha Singh, P.L.

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.110/2015, registered at Police Station Navagarh, District Janjgir-Champa (C.G.), for the offence punishable under Section 306 of IPC.

2. Case of the prosecution, in brief, is that on account of instigation/abatement extended by the present applicant, his wife-Sunita committed suicide on 10/05/2015.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that relationship between applicant and deceased was quite good and merely some small dispute; she consumed poison, which is apparent from the statement of his son/prosecution witness- Neelesh, aged

about 14 years and there is no ingredients of offence under Section 306 of IPC. He would lastly submit that charge sheet has been filed and applicant is in jail since 02/07/2015 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; statement of Neelesh; 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