

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4778 of 2015**

- Suresh Kujur, S/o Silbanus Kujur, aged about 34 years, Caste Cherwa, resident of village Sonpur (Banspara), Police Station Pratappur, District Surajpur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through the Station House Officer, police station Pratappur, District Surajpur (C.G.)

---- Non-applicant

For Applicant: Mr. V.K. Pandey, Advocate.
 For Respondent/State: Mr. Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 115/2015 registered at Police Station Pratappur, District Surajpur for the offence punishable under Section 306 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 26.12.2014 on account of instigation/abetment extended by present applicant, his wife – Anshumalal committed suicide by burning and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has not committed any offence and he has been falsely implicated in the

offence in question as he only enquired from his wife as to why liquor has not been prepared and immediately thereafter she has committed suicide without any rhyme and reason, in which the applicant is languishing in jail since 17.05.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts and circumstances of the case, and further considering the extent of proximity and nexus between the conduct and behaviour of accused with suicide committed by the deceased; further considering the fact that applicant is in jail since 17.05.2015, this Court is of the opinion that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-