

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4866 of 2015**

Teekam Singh S/o Gaukaran Singh Rajput, aged 27 years, Occupation-Agriculturist,
Police Station and Tahsil-Pathariya, District-Mungeli, Civil Distt.Bilaspur and
Revenue District-Mungeli, Chhattisgarh

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station-Pathariya,
District-Mungeli

---Non-applicant

For Applicant	:	Mr. Rajeev Shrivastava, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Government Advocate

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.107/2015, registered at Police Station-Pathariya, District-Mungeli (C.G.), for the offence punishable under Sections 302, 304(2) and 498A/34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant is alleged to have administered poison to his wife Jai Kumari on 20.2.2015 and ultimately she died on 5.3.2015.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that she consumed poison on account of quarrel between husband and wife and as such, no offence under Sections 302 and 304B of the IPC is made out. He would also submit that there is no evidence to connect the present applicant in crime in question, applicant is in jail since 23.5.2015 and charge-sheet has already been filed and therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel would oppose the bail application and submit that the applicant administered poison to her wife by which she died.
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 and material available on record, this Court is of the opinion that present is not a 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 rejected.
8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-