

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5379 of 2015

Ajay Sharma, S/o. Omprakash Sharma, Aged About 38 Years, R/o. Hil Blue Colony Quarter No. N-8 Patarapali Police Station Kotara Road Raigarh, Tah. & Distt. Raigarh, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Kotara Road, Distt. Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/10/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.239/2015 registered at Police Station- Kotara Road, Raigarh, Tahsil & District Raigarh (C.G.) for the offence punishable under Section 498-A, 306 of I.P.C.
2. Case of the prosecution is that the applicant abetted the deceased namely Alka Sharma and because of such abetment she committed suicide by consuming poison and eventually she died.
3. Learned counsel for the applicant submits that the marriage of the applicant and deceased was solemnized on 06.02.2004 and for some other reason the wife consumed poison and died. He submits that actually the deceased was in relation with the husband of one Sushma and on the date of incident there has been interaction of the deceased with Sushma and thereafter

when the deceased came back, she slept in her house and in the morning she found to have consumed poison and eventually she died. He further submits that there is no abetment or any cruelty was meted out to the deceased.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the date of marriage is 06.02.2004 and the charge sheet has been filed and considering the allegation and the statements without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned trial Court. He is directed to appear before the trial court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge