

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1074 of 2016**

Rajkumar Dhuri, aged about 28 years, S/o. Titra Dhuri, R/o. Village Nagpura, Police Station Sirgitty, Tahsil and District Bilaspur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through Station House Officer, Police Station Sirgitty, District Bilaspur (C.G.)

-----Non-applicant

For Applicant: Mr. M.D. Dhote, Advocate.
For Non-applicant/State: Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/03/2016**

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. 22/2016 registered at Police Station Sirgitty, District Bilaspur for the offences punishable under Sections 306 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on account of instigation/abetment extended by the applicant, applicant's wife – Mantora @ Mamta Dhuri committed suicide by setting herself ablaze in the intervening night of 11/12.11.2015 and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not

committed any offence. He further submits that deceased committed suicide inside her room which was bolted from inside and the applicant has neither instigated nor abetted her for commission of offence and, as such, the applicant is in jail since 13.01.2016 and the FIR is delayed by two months; charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) 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; his pre-trial detention and the charge sheet has already been filed; 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.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-