

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1080 of 2016**

Ratan Haldar, son of Late Shyamlal Haldar, Age-30 years,
Resident of Village Jugani Camp, Tahan-Farasgaon,
Kondagaon, District- Kondagaon (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through the Station House Officer,
Police Station – Farasgaon, District Kondagaon (C.G.)

-----Non-applicant

For Applicant: Mr. Tribid Bhattachargya, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, Panel Lawyer

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. 191/2015 registered at Police Station Farasgaon, District Kondagaon (C.G.) for the offences punishable under Sections 498(A) and 306 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that marriage of deceased -Jhumahaldhar solemnized with the applicant 10 years prior to the date of FIR i.e. 10.12.2015 and thereafter, the applicant used to harass her in connection with the demand of dowry, and on account of humiliation & frustration, she committed suicide by hanging herself and thereby committed the aforesaid

offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence and the applicant has neither instigated nor abetted her for commission of offence and, as such, the applicant is in jail since 11.12.2015 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 submits that applicant used to commit marpeet with the deceased demanding dowry.

(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; role of the present applicant; 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/-

