

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1520 of 2016

Sushil Khakha, S/o Shri Budhana Khakha, aged about 20 years, R/o
Village Kawadu, Jarhadand, P.S. Rajpur, Distt. Balrampur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through P.S. Rajpur, Distt. Balrampur (C.G.)

---- Non-applicant

For Applicant:	Mr. Bhupendra Singh, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/04/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.179/2015, registered at Police Station Rajpur, Distt. Balrampur, for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that marriage of deceased Smita Toppo was solemnized with the applicant in April, 2015, and on account of cruelty extended by the applicant and due to continuous act of beating by the applicant, she committed suicide by consuming poison on 9-10-2015 as a result of which she died on 13-10-2015.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that the deceased was unhappy as it was love marriage and her parents have detached relations with her and on account of such frustration, she committed suicide and died

on 13-10-2015. Morgue was registered on 1-11-2015 and the applicant was arrested on 23-11-2015. Charge-sheet has been filed. The applicant is in jail since four months.

4. On the other hand, learned State counsel would oppose the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, the manner in which wife of the applicant committed suicide within six months of her marriage, and material collected and available in the case diary, I do not consider it a fit case for grant of regular bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge