

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2191 of 2016**

Gautam Banjare, aged about 35 years, S/o Babu Lal Banjare, R/o Village Medarka, Tahsil & Police Station Kurud, District Dhamtari, Chhattisgarh.

---Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Kurud, District Dhamtari, Chhattisgarh.

---Non-applicant

For Applicant	:	Shri Arun Kochar, Advocate.
For Non-applicant/ State:		Shri Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/04/2016**

1. The accused/ Applicant has moved this bail application under Section 439 of the Code of the Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No. 92 of 2016, registered at Police Station Kurud, District Dhamtari, Chhattisgarh for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution, in brief, is that Smt. Usha, wife of Anirudh Banjare, committed suicide on account of instigation by the Applicant and other co-accused persons.

3. Learned counsel for the Applicant submits that the Applicant has not committed any offence and he has falsely been implicated in the case, there is no allegation of marpit against the present Applicant. He is in custody since 19.2.2016 and charge-sheet has not been filed. Learned counsel further submits that the co-accused Smt. Jyoti Bangare against whom similar allegations have been made, has already been enlarged on bail vide order dated 16.3.2016 by this Court in M.Cr.C. No. 1552 of 2016.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard counsel appearing for the parties and perused the case diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and the fact that the co-accused against whom similar allegations have been made, has already been enlarged on bail, I am of the view that it is a fit case to enlarge the Applicant on regular bail. Accordingly, the application is allowed.

7. It is, therefore, directed that the Applicant be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Nimmi