

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7559 of 2015

Rajkumar Yadav, S/o. Urmal Yadav, Aged About 24 Years, Occupation Private Service, R/o. Village Dhaurabhata, Tahsil Tamnar, Civil & Rev. Distt. Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Tamnar, Civil & Revenue Distt. Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. R.R.Sinha, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.01.2016

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.192/2015, registered at Police Station– Tamnar, District Raigarh (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.09.2015 the deceased Santoshi Bai committed suicide by hanging and it is contended that since the applicant was married to the deceased prior to three months of the incident, he used to doubt the character of the deceased.
3. Learned counsel for the applicant submits that the deceased herself never wanted to marry with the applicant and after marriage she was not able to adjust herself in the house of the applicant as prior to the marriage she was in love relation with some other

person and after the marriage she could not accept the marriage and committed suicide. He further submits that the applicant has never abetted the deceased to commit suicide and he has been falsely implicated in this case; therefore, the he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the case diary, the statement and the merg diary. Taking into the evidence available, it shows that some conciliation has also been took place before the death between the applicant and the deceased and further taking into fact that the charge sheet has been filed and the applicant is in jail since 23.09.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge