

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.599 of 2016

Shatruhan, S/o Parasram Yadav, aged about 30 years, R/o Village Duldula, Police Station Simga, Civil and Revenue District Baloda Bazar-Bhatapara (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Simga, District Baloda Bazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant:	Mr. A.S. Rajput, Advocate.
For Non-applicant:	Mr. Adhiraj Surana, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/02/2016

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.305/2015, registered at Police Station Simga, Distt. Baloda Bazar-Bhatapara, for the offence punishable under Section 306 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 10-10-2013 Smt. Jageshwari set herself ablaze and committed suicide, and she died on 20-10-2013 in the hospital during her treatment. It is the allegation of the prosecution that the applicant who is her husband harassed her and on account of instigation, she committed suicide.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that co-accused persons Smt. Vimla and Smt. Saraswati, against whom there is direct allegation, have been

granted anticipatory bail by a coordinate Bench of this Court in M.Cr.C.(A)No.83/2016 by order dated 19-2-2016. The present applicant is in jail since 26-12-2015. Charge-sheet has been filed and no useful purpose will be served by keeping the applicant in jail.

4. On the other hand, learned State counsel opposes 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, proximity and nexus between the conduct and behaviour of the accused/applicant with the suicide committed by the deceased and charge-sheet has been filed, I consider it 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.

Sd/-
(Sanjay K. Agrawal)
Judge