

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2963 of 2016

Gajendra Mandavi S/o Late Madhusudan Mandavi Aged About 28 Years, R/o Ward No. 9, Gurur, Police Station Gurur, District Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Balod, District Balod, Chhattisgarh.

---- Respondent

For applicant - Shri Sunil Sahu and Shri Anil Gulati, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 78/2016 registered in Police Station Gunderdehi District Balod (C.G.) for offence punishable under section 306 of Indian Penal Code.
2. As per the prosecution case, deceased Rajkumari committed suicide on 29/02/2016. Marriage of the deceased Rajkumari was fixed with the applicant on 17/01/2016 and some dispute arose as she was operated for ulcer and as such applicant refused to marry the deceased. Subsequently, other dispute about share of the photograph arose as some obscene photographs of the girl were distributed by the applicant to the friends, as such ultimately after the marriage was broken girl committed suicide.
3. Learned counsel for the applicant submits that seizure of the photographs have not been made and only because of the dispute arose marriage was broken for which meeting in the village also convened

wherein it was also endorsed about cancellation of marriage, therefore deceased committed suicide and applicant has not abetted the girl to commit suicide. Therefore, learned counsel submits that the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of the witness wherein it is stated that marriage was broken and the girl was in depression. Taking into such facts, statement and the documents collected during the evidence, without any observation on the merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE