

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 434 OF 2016**

Dhaneshwar Patel son of Raghuram Patel, aged about 30 years, Caste-Patel, resident of Aamapali, Police Station Baradwar, District Janjgir-Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through Station House Officer,
Police Station Baradwar, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant	: Mr. Dashrath Kushwaha, Advocate
For Non-applicant	: Mr. Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/02/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 280/2015, registered at Police Station Baradwar, District Janjgir-Champa (C.G.), for the offence punishable under Sections 306, 498-A of Indian

Penal Code.

2. Case of the prosecution, in brief, is that marriage of deceased Lalita Patel was solemnized with the applicant 10 years prior to the date of commission of suicide and immediately after marriage, applicant has been started harassing her and treated her with cruelty, on account of which, she committed suicide on 21/06/2015.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in crime in question. He would further submit that on 21/06/2015 some dispute has arose with his wife as the applicant has consumed liquor and he has not abated the commission of offence. He would lastly submit that charge sheet has been filed and applicant is in jail since 17/11/2015 therefore, he may be released on bail.

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

5. I have heard learned counsel appearing for the

parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; extent of nexus and proximity between conduct and behavior of the applicant with the suicide committed by the deceased; charge sheet has already been filed and applicant is in jail since 17/11/2015, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular 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 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/-
(Sanjay K. Agrawal)
Judge