

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 213 of 2016

Devnandan Kenwat, S/o. Domara Ram, Aged About 37 Years, Caste Kenwat, R/o. Village Parsada, P.S. Ratanpur, District Bilaspur (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Ratanpur, District Bilaspur (Chhattisgarh)

---- Respondent

For Applicant : Mr. N.K.Chatterjee, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.01.2016

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.284/2015, registered at Police Station– Ratanpur, District Bilaspur (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased namely Hemlata was married to the applicant which was her second marriage and subsequently after the marriage, she was subjected to torture by this applicant as the applicant after consuming liquor used to torture the deceased. In a result of which, the deceased poured the kerosene oil on her and set herself ablaze.
3. Learned counsel for the applicant submits that the deceased was the second wife and out of the marriage, four children were already born and no allegation of torture is being attributed to this applicant

and he has not abetted the deceased to commit suicide. He further submits that the charge sheet has been filed and the applicant is in jail since 27.11.2015, therefore, 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. Having regard to the facts and circumstances of the case, considering the degree of allegation leveled against the applicant, taking into fact that the charge sheet has been filed and the applicant is in jail since 27.11.2015, 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