

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2494 of 2016

Mahendra Kumar Devdas, S/o. Sharadlal Devdas, Aged About 20 Years,
R/o. Village Sonakhan, Tahsil & Police Station Kasdol, District Baloda
Bazar-Bhatapara, Chhattisgarh. Pin 492112.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kasdol, District Baloda
Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vijay Kumar Deshmukh, Advocate

For Respondent : Ms. Shobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.06.2016

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.76/2016 registered at Police Station- Kasdol, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 306, 498A, 494 & 201 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Annapurna sustained burn injury on 15.03.2015 and subsequently, she succumbed to the injuries on 03.04.2015 and the report was made by the mother of the deceased that the deceased was subjected to mental cruelty and was abetted and therefore she committed suicide and the applicant has brought another wife to his house. Thereafter, after enquiry, the offence has been registered.
3. Learned counsel for the applicant would submit that the deceased received burn injury on 15.03.2015 and immediately she was

admitted to the Hospital wherein nothing was disclosed about torture and subsequently after almost a year on 24.02.2016, a report has been made and the applicant has been falsely implicated, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents, statement of the witness and also the medical report. Taking into the evidence which is on record primarily it appears that the main allegations are for the reason that the applicant had married to another girl. Considering the FIR and the documents and further considering the fact that the charge sheet has been filed and the applicant is in jail since 26.02.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge