

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2782 of 2016

- Sandeep Sen S/o Late Kamal Narayan Sen Aged About 35 Years R/o Bihind Ram Mandir, Raipur, Post Office Raipur, Police Station D.D. Nagar, Raipur, District Raipur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Rajim, District Gariyaband, Chhattisgarh.

--- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 132/2015 registered at P.S. Rajim, Distt. Gariyaband (C.G) for the offence punishable under Sections 306/34 IPC.
2. As per the prosecution case, the applicant alongwith wife of deceased Nineshwar Singh Thakur used to extend threat to deceased to construct a house for the wife and pay an amount of Rs.10 lakhs as the wife of deceased namely Deepika Thakur was living separately and because of that the deceased Nineshwar Singh committed suicide by consuming pesticides. It was further alleged that the applicant has some relations with the wife of deceased.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and the allegations of abetment cannot be attributed to the applicant. It is further submitted

that the charge sheet in this case has been filed and the applicant is in jail since 14.07.2015, therefore, looking to the period of detention, he may be enlarged on bail.

4. Per contra learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the father of deceased as also the documents of the charge sheet.
6. Taking into consideration the totality of the facts and circumstances especially the fact that the charge sheet in this case has already been filed and the applicant is in jail since 14.07.2015, without any observation on merits of case, I am inclined to enlarge the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE