

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3176 of 2016

- Kamal Choudhary S/o Late G. C. Choudhary, Aged About 35 Years R/o Control Block, Railway Quarter No. 1348/2, Bilaspur, Tahsil, Civil And Revenue District- Bilaspur (Chhattisgarh) --- **Petitioner**

Versus

- State of Chhattisgarh Through- The Station House Officer, Police Station- Torwa, Civil And Revenue District- Bilaspur (Chhattisgarh) --- **Respondent**

For the applicant	:	Mr. Malay Kumar Bhaduri, Advocate
For the Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

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. 119/2016 registered at P.S. Torwa, Distt. Bilaspur (C.G) for the offence punishable under Section 306 IPC.
2. As per the prosecution case, on 28.03.2016 the deceased committed suicide by hanging. Deceased was married to the present applicant and he has suppressed the fact of his earlier marriage and performed marriage with the deceased and after coming to know the fact of earlier marriage of the applicant, she committed suicide on 28.3.2016 i.e., after one month of her marriage with the applicant.
3. Learned counsel for the applicant submits that the FIR was made by mother and if the statement of the mother is taken as it is, no case of abetment would be made out against the applicant therefore he has been falsely implicated in this case.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of witnesses.
6. Considering the facts and circumstances of the case and after going through the statement of mother of deceased and taking into the case diary and documents which are on record as also considering the degree of allegations levelled against the applicant and the nature of offence, I am inclined to enlarge the applicant on 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**