

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4067 of 2016

- Sunil Kumar Sahu S/O Raj Kumar Sahu Aged About 23 Years R/O Village - Joki, Police Station - Chakarbhata, District - Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Chakarbhata, District Bilaspur Chhattisgarh

---- Respondent

For Applicant : Mr. Malay Shrivastava, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02-08-2016

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 on 19-03-2016 in connection with Crime No. 97 of 2016, registered at Police Station Chakarbhata, District Bilaspur (CG) for the offence punishable under Section 306 of the IPC.
2. As per prosecution case, on 6-2-2016 one Divya Sahu committed suicide by hanging. It is alleged that the date of marriage of the deceased with applicant was fixed, prior to the date of marriage the applicant stated that he will not marry the deceased, therefore, she committed suicide.
3. Learned counsel appearing for the applicant would submit that the case diary also contains case diary and perusal of the case diary and statement of the deceased do not make any case against the applicant that he abetted the deceased to commit suicide. He would further submit that charge-sheet has been filed, the

applicant is in jail since 19-03-2016 and no further evidence is required, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents including the suicidal note which is a part of the case diary.
6. Taking into consideration the facts and circumstances of the case, and considering the statement of the deceased, without any observation on the merits of the case, 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 and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju