

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4208 of 2016

1. Hem Singh Netam, S/o. Meghnath Netam, aged about 43 years, R/o. Parsapali, Police Station : Saliha, District : Baloda Bazar-Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station-Saliha, District – Baloda Bazar-Bhatapara (Chhattisgarh)

---- Respondent

For Applicant	: Mr. C.R. Sahu, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/08/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.16/2016, registered at Police Station – Saliha, District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 21.03.2016 Hemwati, wife of the applicant committed suicide for the reason that she was subjected to cruelty and harassment by the applicant and the deceased was married to the applicant 17 years back.
3. Learned counsel for the applicant submits that dispute is arose between the husband and wife and the applicant has not abetted the deceased to commit suicide. It is further submitted that charge-

sheet in this case has been filed and the applicant is in jail since 09.04.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the statements. Perusal of the statement of the brother Hemkumar Sidar and Thakur Singh Sidar and considering the facts and circumstances of the case and the fact that charge-sheet in this case has been filed and the applicant is in jail since 09.04.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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