

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4325 of 2016

- Sunny Kumar Sonwani S/O Dilip Kumar Sonwani Aged About 24 Years R/O - Village - Kuwa, P.S. & Tah. Takhatpur, Distt. - Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station Takhatpur District - Bilaspur Chhattisgarh

---- Respondent

For Applicant : Mr. H.V. Sharma, Advocate

For Respondent/State : Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08-08.2016

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 22-04-2016 in connection with Crime No. 110 of 2016, registered at Police Station Takhatpur, Bilaspur, District Bilaspur (CG) for the offence punishable under Sections 306, 498(A) of the IPC.
2. As per prosecution case, The applicant who is husband of deceased namely Seema who committed suicide by hanging on 28-3-2016, used to treat her with cruelty in connection with demand of dowry and abetted her to commit suicide and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that two sets of statements were recorded after death of the victim, i.e., first statement was recorded on 29-3-2016 and second statement was recorded on 16-4-2016 which would show that the applicant has not

abetted the deceased to commit suicide. He would further submit that the charge-sheet has been filed in this case, he is in jail since 22-04-2016 and no further investigation is required, therefore, he may be released 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.
6. Perused the statements of the witnesses which would show that after consuming liquor the dispute arose between the applicant and his wife.
7. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and further considering the statements of the witnesses, charge-sheet has been filed and the applicant is in jail since 22-4-2016, I am inclined to release the applicant on bail.
8. 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