

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4310 of 2016

- Pawan Kumar Yadav S/o Late Mohanlal Yadav Aged About 38 Years (Wrongly Mention As 32 Year), R/o Village Puri, Thana Charama, Distt. Kanker Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through Charama Police Station, Distt. U. B. Kanker Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Parag Kotecha, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.08.2016

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. 91/2016 registered at P.S. Charama, Distt. Uttar Bastar Kanker (C.G) for the offence punishable under Section 306 IPC.
2. As per the prosecution case, deceased Rajeshwari wife of applicant committed suicide by setting ablaze and it is alleged that the applicant used to torture his wife and abetted her to commit suicide, thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and a trivial dispute arose between the wife and husband and the wife has taken such step which cannot be said to be abetment and the marriage has taken place 16 years back. He further submits that challan has been filed and the applicant is in jail since 19.04.2016, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the statement of daughter of deceased Domendri. Considering her statement, without any observation on merits of the case, I am inclined to allow the bail application.
6. 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**