

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4511 of 2016

1. Praduman Sahu, S/o. Radheshyam Sahu, aged about 21 years, R/o. Village-Chorbhatti, Post Office & Police Station – Kurud, District – Dhamtari (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station- Kurud, District – Dhamtari (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/08/2016

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.260/2016, registered at Police Station – Kurud, District – Dhamtari (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 01.05.2016, the wife of the applicant committed suicide by hanging and she was abetted for the reason that the applicant used to abuse the wife and used to doubt her character. Consequently, she committed suicide. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and on trivial issue, the deceased has committed suicide 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 05.06.2016, 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 statement of the Suresh Kumar, the father of the deceased. Considering the statement and the evidence collected by the prosecution and taking into the fact that charge-sheet in this case has been filed, 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