

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4683 of 2016

1. Lambodar Mali, S/o. Munni Mali, aged about 62 years, R/o. Village-Baghanpur, Katanpali (B), P.S. - Baramkela, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Baramkela, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Awadh Tripathi, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/08/2016

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.39/2016, registered at Police Station – Baramkela, District – Raigarh (C.G.) for the offence punishable under Section 304-B/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.04.2016 one Savitri Patel committed suicide by setting herself ablaze. It is alleged that the applicant who is the elder brother of father-in-law of the deceased, Savitri has threatened the deceased that they will perform second marriage of Netram, who is the husband of the deceased and also demanded money at certain point of time. Savitri was married to Netram on 24.05.2013 and she died within 7 years of marriage.
3. Learned counsel for the applicant submits that only allegation has been attributed against this applicant that he has given threatening

to the deceased to perform second marriage of Netram and general allegations have been attributed to this applicant. It is further submitted that on 14.04.2016 the deceased went to attend the marriage of her brother and she returned on 17.04.2016 and thereafter she committed suicide. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 02.05.2016. 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 mother, Kavita. Considering the nature of allegation levelled against this applicant and further considering the facts and circumstances of this case, without any further observation on merits, 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