

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5345 of 2016

- Kaushal Kumar Sahu S/o Sukhitram Sahu Aged About 30 Years R/o Village Nawagaon, Post Dhaurabhata, P.S. Magar Load Distt. Dhamtari Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station - Magarload Distt. Dhamtari Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the State	:	Mr. Anupam Dubey, Dy.Govt. Adv.
For the objector	:	Mr. Tridib Bhattacharya, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.09.2016

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. 40 of 2016 registered at P.S. Magarload, Distt. Dhamtari (C.G) for the offence punishable under Sections 306 & 497 of IPC.
2. As per the prosecution case, one Arti Sahu wife of the applicant has committed suicide by consuming poison on 08.02.2016. Thereafter, the FIR was made on 14.02.2016. It is alleged that the applicant has assassinated the character of the deceased that she has developed physical relations with other persons thereby he has abetted the deceased to commit the suicide.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the deceased herself admitted before few of the persons that she had developed some relations with another person other than the husband and probably for that reason, she has committed

suicide. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the suicidal note which is part of the case diary. Considering the suicidal note of the deceased as also the fact that the charge sheet in this case has been filed; no further investigation is necessary and further taking into the totality of the facts and circumstances of the case, I am inclined to allow this 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**