

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6271 of 2016

Tukaram Nishad S/o Bishat Nishad Aged About 32 Years R/o
Village Siltara, Police Station Bhakhara, District Dhamtari
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Of
Police Station - Bhakhara, District Dhamtari Chhattisgarh

---- Respondent

For applicant - Shri Anil Gulati, Advocate.
For Respondent/State – Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.174/2016 registered in Police Station Bhakhara, District Dhamtari (C.G.) for offence punishable under section 306 r/w 34 of Indian Penal Code.
2. As per the prosecution case, one Tuleshwari Nishad committed suicide by setting herself ablaze on 11/06/2016. She was married to the applicant in the year 2008 and she was subjected to torture for which a case of domestic violence was registered. Later on it was compromised. Thereafter, deceased was subjected to abetment and torture. Thereby, she committed suicide.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. Applicant has not abetted the deceased to commit suicide and even if there has been differences between husband and wife, it cannot amount to abetment, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Considering the facts and circumstances of the case and the applicant is in jail since 4/07/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE