

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6633 of 2016

- Gajadhar Yadav (Raju Yadav) s/o. Shri Puran Yadav, aged about 28 years, r/o. Village Manohara, PS Dharsiwa, Outpost Silyari, Tahsil and District Raipur (CG).

---- Applicant

Versus

- State Of Chhattisgarh Through PS Dharsiwa, Out Silyari, Tahsil and District Raipur (CG).

---- Respondent

For Applicant : Mr. H.B. Agrawal, Sr. Advocate with Mr. Shashi Kushwaha, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-11-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 20-6-2016 in connection with Crime No. 29 of 2016, registered at Police Station Dharsiwa, District Raipur (CG) for the offence punishable under Sections 306 of the IPC.
2. Case of the prosecution, in brief, is that on 10-5-2016 Ishwari Yadav who was wife of the applicant committed suicide by setting herself ablaze. She was subjected to cruel treatment and abetted by the present applicant. Subsequently, she died.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case because of the fact that one of the children of the applicant and the deceased died and the applicant again insisted her for some operation and the applicant has not

abetted the deceased to commit such crime. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 20-6-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statement of the mother of the deceased namely Smt. Bedul in which no direct allegations have been attributed to the present applicant.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statement of the mother of the deceased and also the fact that charge-sheet has been filed and the applicant is in jail since 20-6-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju