

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6748 of 2016

- Sunil Kumar Janghel S/o Late Rameshewar Janghel Aged About 32 Years R/o Village Padmavatipur, Police Station Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through District Magistrate Rajnandgaon, District Rajnandgaon, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Rakesh Pandey, Advocate

For Respondent/State : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02-11-2016

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 13-9-2016 in connection with Crime No. 220 of 2016, registered at Police Station Chhuikhadan, District Rajandgaon (CG) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that Smt. Gangotri Bai who was wife of the applicant committed suicide by consuming poison on 20-8-2016. It is alleged that the present applicant has abetted the deceased to commit the crime and consequently due to such act and behavior of the applicant, deceased committed suicide and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that there is no evidence available against the applicant and due to

trivial dispute the incident took place and the deceased consumed poison and died. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 13-9-2016 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 Ku. Aarti who was present in the house before the incident took place.
7. Taking into consideration the facts and circumstances of the case and further considering the statement of Aarti and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 13-9-2016, this court is 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