

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6931 of 2016

- Kirtan Yadaw S/o Chaitan Yadaw, Aged About 24 Years R/o Kadamdodhi, Tahsil Dharamjaigarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Police Thana Kapu, District Raigarh, Chhattisgarh.

For Applicant : Ms. Sharmila Singhai, Advocate

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

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 15-7-2016 in connection with Crime No. 53 of 2016, registered at Police Station Kapu, Raigarh, District Raigarh (CG) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that on 12-4-2016 Laxmi Yadav who was wife of the applicant committed suicide by hanging. She was married to applicant in the year 2008. It is alleged that she was abetted to commit suicide and she was subjected to torture before her death and frequent quarrel used to take place between the deceased and the applicant and subsequently the incident happened.
3. Learned counsel appearing for the applicant would submit that after marriage in the year 2008 no incident was ever reported

against the applicant and main suspicion was raised that the applicant has some illicit relation with some other lady that might have been the reason for committing suicide. Two children were born from their wedlock and nothing transpired between them regarding any quarrel before her death. It has been further argued that charge-sheet has been filed in this case, the applicant is in jail since 15-7-2016 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 Kunti Bai in which no direction allegations have been attributed to the present applicant.
7. Taking into consideration the facts and circumstances of the case and further considering the statement of the mother of the deceased, without any observation on the merits of the case, 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

