

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7863 of 2016

Vikash Soni, S/o. Anat Ram Soni, Aged about 20 years, R/o. House of Tirath Banjare, Yuva Ankush Chowk, Purani Basti Chhawani, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Office, Police Station Jamul, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/12/2016

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 in connection with Crime No.54/2016 registered at Police Station- Jamul, District Durg (C.G.) for the offence punishable under Section 498-A, 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 21.01.2016 the wife of the applicant Smt. Reshma Khan @ Rani Soni committed suicide by hanging. She was married to the present applicant in 2015 and it is alleged that after marriage she was abetted to commit suicide because of the intercaste marriage and consequently she committed suicide.
3. Learned counsel for the applicant would submit that no evidence is available against the present applicant and the circumstances would go to show that the applicant has not abetted the deceased to commit suicide. He further submits that the charge sheet has

been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of Tirath Banjare. Considering the facts and circumstances of the case, statement of the witness and the fact that charge sheet has been filed and the applicant is in jail since 28.01.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge