

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8091 of 2016

Basant Yadav, S/o. Jethu Yadav, Aged About 24 Years, R/o. Ward No.14,
Kankalinpara, Simga, Police Station Sigma, District Baloda Bazar-
Bhatapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station
Simga, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.K.Guha, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/12/2016

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.211/2016 registered at Police Station- Simga, District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 498(A) and 306 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made that one Rajni Yadav who is wife of the present applicant committed suicide by setting herself ablaze on 01.05.2016 and she died on 08.05.2016 and it is alleged that the present applicant has treated the deceased with cruelty and thereby has abetted the deceased to commit suicide.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the deceased never wanted to stay with the applicant and when she was persuaded by the

parents to go to her matrimonial home, she committed suicide.

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 Leeladhar Yadav, father of the deceased. Taking into such statement and the facts and circumstances of the case and further considering the fact that the charge sheet has been filed, 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