

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 7158 OF 2017

Santosh Sahu, S/o Jethuram Sahu, aged about 30 years, R/o Village Mohbhattha, Ward No.7, Chowki Sargaon, P.S. and Tahsil Pathariya, District Mungeli (C.G.)

... Applicant

versus

State of Chhattisgarh, through the Station House Officer, Police Chowki Sargaon, P.S. and Tahsil Pathariya, District Mungeli (C.G.)

... Respondent

For Applicant	:	Mr. Pradeep Kumar Singh, Advocate.
For Respondent-State	:	Mr. D.R. Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/12/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 10.8.2017 in connection with Crime No.401/2017 registered at Police Station/Chowki, Sargaon, P.S. and Tahsil Pathariya, District Mungeli, for the offence punishable under Section 306 of IPC.
2. Allegation against the Applicant as per the prosecution case is that the Applicant is said to have been subjecting the deceased to ill-treatment, torture and assault continuously on one pretext or the other, which ultimately forced her to commit suicide on 7.8.2017 by setting herself ablaze.
3. Learned Counsel for the Applicant submits that there was no intention of the Applicant for the deceased to commit suicide and that he himself tried to put off the fire when she had set herself ablaze and which further shows that he did not intended her to commit suicide and thus he may be released on bail.

4. Learned Counsel for the State however opposing the bail application submits that there are materials available in the case diary which would show that on the date of incident i.e. 7.8.2017 the Applicant is said to have assaulted the deceased in front of his sister who had come on the festival of Raksha Bandhan to his house and there are statements of the nephew of the Applicant and also the neighbours, Deepak Sahu and Munni Bai, respectively, who have also stated that the Applicant on the date of incident had assaulted the deceased.

5. Given the aforesaid evidence which have come on record, this Court is of the opinion that prima facie no strong case is made out for grant of bail to the Applicant at this juncture.

6. The bail application stands accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge