

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 7412 of 2017**

Sanjay Ravi S/o Late Vasudev Ram, aged about 21 years, R/o
Civildaag, P. S. Kusmi, District Balrampur, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through Police Station Kusmi, District Balrampur,
Chhattisgarh

---- Respondent

For Applicant : Shri Pushkar Sinha, Advocate
For Respondent/State: Shri Garry Mukhopadhyay, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08/12/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 61/2016 registered at Police Station Kusmi, District Balrampur (CG) for the offence punishable under Sections 306, 34 of IPC. The applicant is in jail since 27.12.2016.

2. The allegation, as per the prosecution, against the present applicant is that he used to ill-treat, torture and assault his wife Amita Ravi because of which she took the extreme step of committing suicide by jumping into the well.

3. Counsel for the applicant submits that co-accused Vijay Shankar Ravi and Smt. Gujri Bai i.e. brother-in-law and mother-in-law respectively have already been granted bail by this Court in MCRC Nos. 1808/17 & 1809/17 vide order dated 12.06.2017, therefore, the present applicant also deserves to be released on bail on the ground of parity. He further submits

that the allegations which are levelled against the applicant are omnibus and general in nature.

4. State counsel, however, opposing the bail application submits that the present applicant has been constantly ill-treating, torturing and assaulting the deceased which compelled her to commit suicide. Therefore, the applicant does not deserve to be released on bail.

5. Considering the total facts and circumstances of the case, particularly the fact that the co-accused persons have been released on bail and that the present applicant has already remained in custody for more than 11 months, this Court is of the opinion that the present applicant also deserves to be released on bail.

6. Accordingly, the application for grant of bail is allowed. 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 before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
JUDGE