

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 95 of 2017

- Gyaneshwar Prasad Bhardwaj S/o Gajanand Bhardwaj, Aged About 30 Years R/o Malkharoda, Police Station & Tahsil Malkharoda, District Janjgir Champa, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Malkharoda, District Janjgir Champa, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Ishwar Jaiswal, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 203/2016 registered at P.S. Malkharoda, Distt. Janjgir Champa (C.G) for the offence punishable under Section 306 IPC.
2. As per the prosecution case, one Samudri Bai committed suicide by setting herself ablaze on 20.08.2016 and subsequently she died on 23.08.2016. It is alleged that the present applicant who is husband of the deceased tortured and abetted her to commit suicide, consequently the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated; there is no evidence to show that the applicant has abetted the deceased to commit suicide and only on false allegations the applicant has been implicated. He further submits that the charge

sheet has been filed and the applicant is in jail since 17.10.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of witnesses as also the dying declaration. Considering the same, without any further observation on merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**