

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1603 of 2017

Maan Sai @ Sanjay Rajwade, S/o. Shivaram Rajwade, Aged About 30 Years,
R/o. Village- Lodhima, Police Chowki -Basdei, Police Station- Tehsil, Civil &
Revenue District -Surajpur, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Surajpur, Civil & Revenue
District -Surajpur, Chhattisgarh. (Wrongly Mentioned As Police Chowki
-Basdei In Bail Rejection Order) .

---- Respondent

For Applicant	: Mr. Adil Minhaj, Advocate
For Respondent/State	: Mr. Ashok Kumar Swarnakar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.48/2017, registered at Police Station – Surajpur, District – Surajpur (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. As per the prosecution case, one Chandramani Rajwade died by drowning on 25.01.2017. She was married to the present applicant 15 years prior to that and it is alleged that the applicant after consuming liquor used to torture the deceased and further he had developed some relation with the other lady, consequently, the deceased was subjected to cruelty and the deceased has committed suicide. Thereby the applicant has abetted the deceased to commit suicide.
3. Learned counsel for the applicant would submit that as per the inquest report, which was made immediately it was revealed that on the fateful day, the brother of the deceased visited and there has been some

dispute over cooking of non-veg as she does not lie non-veg food and dispute arose and when she went to answer the call of nature, thereafter, the dead body was found. It is further submitted that the charge-sheet in this case has been filed and the applicant is in jail since 01.02.2017, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, mourge statement as also the evidence collected by the prosecution. Considering the facts and circumstances of the case and further considering the mourge statement of the father of the deceased and taking into the fact that charge-sheet in this case has been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge