

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3930 of 2017

- Chandrashekar Pareshwar S/o Jaylal Pareshwar, Aged About 32 Years, Caste - Gond, R/o Village Parsapali, Police Station Saliha, Tahsil - Bilaigarh, District Balodabazar Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Saliha, District Balodabazar Bhatapara Chhattisgarh

... Non-applicant

For Applicant	:	Shri C.R.Sahu, Advocate.
For Non-applicant/State	:	Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/10/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 20.02.2017 in connection with Crime No.9/2017 registered at Police Station Saliha, District- Baloda Bazar Bhatapara, C.G. for the offence punishable under Sections 306/34 of the IPC.
2. As per the prosecution story, present Applicant, husband of the deceased Vinita used to ill treat and torture her and also commit her character assassination which led the deceased for committing suicide and the deceased committed suicide on 13-01-2017. The FIR was lodged after more than one month, i.e., 18-02-2017.
3. Learned Counsel for Applicant submits that the deceased was married to the present Applicant 12-13 years ago and that the present Applicant has been falsely implicated by family members of

the deceased. The allegations made are incorrect and there was no material by which offence under Section 306 of the IPC could have been made against the present Applicant. Therefore, he prayed for grant of bail to the Applicant.

4. The State counsel opposing the bail application submits that there are statement of family members of the deceased recorded during the course of investigation who alleged ill-treatment, harassment and torture by the present Applicant which led the deceased for committing suicide.
5. Considering the contents of the case diary more particularly the statement of family members of the deceased, mother of the deceased Vidyasini Sidar, it clearly reflects that the allegations are omnibus, general and vague allegations and that there is no allegation of any ill-treatment, harassment or torture which was made on the date of incident, i.e., 13-01-2017 or immediately before the date of incident so as to attract Section 107 of the IPC. In given facts and circumstances, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged 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 for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge