

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5881 of 2017

Ramprakash Sahu S/o Late Ram Vilas Sahu, Aged About 24 Years R/o Village Kaushalpur Police Station + Tahsil Ramanujnagar, District Surajpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Ramanujnagar, Distrit Surajpur Chhattisgarh.

---- Respondent

For Applicant : Mr. Jai Prakash Shukla, Advocate

For Respondent : Mr. Anil S Pandey, Govt Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

24/11/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 126/2017 registered at Police Station- Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Section 306 of the IPC.
2. As per the prosecution case, the applicant and the deceased were married in April 2016. The deceased could not conceive that is why she was living in depression. She was provided medical treatment by the applicant but due to depression she committed suicide by jumping in the well. It is alleged by the prosecution that the applicant harassed the deceased and his act amounts instigation for suicide.
3. Counsel for the applicant submits that there is no objective evidence against the applicant and he has been charge sheeted only on the basis of subjective statement of certain witnesses.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, that the deceased has not conceived after marriage and further considering the fact that the applicant is in jail since 31.07.2017, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-

(Ram Prasanna Sharma)
Judge

Santosh