

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6254 of 2017

Harishankar Khobragade S/o Ganpat Rao Khobragade Aged About
36 Years R/o Santoshi Para Camp 2, Bhilai P.S. Chhawani, Tahsil &
District Durg Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officers P.S. Chhawani,
Tahsil & District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. F. S. Khare, Advocate
For the Respondent	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2017

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. 258 of 2017 registered at Police Station Chhawani, Tahsil and Distt. Durg (C.G) for the offences punishable u/ss 498-A, 306 of IPC.
2. As per the prosecution case, one Indu Khobragade committed suicide by setting herself on 29.05.2017. She was married to Shiv Kumar the brother of present applicant on 11.05.2005. Thereafter, she was subjected to torture for demand of dowry, consequently she got separated with her husband and subsequently when she again joined the matrimonial home, the said torture and harassment continued and eventually she committed suicide on 29.05.2017. It is alleged that the present applicant Harishankar alongwith other family members used to torture and abet the deceased to commit suicide.
3. Learned counsel for the applicant would submit that there is

no evidence on record to show that the present applicant has tortured and abetted the deceased to commit suicide and he has been falsely been implicated. He further submits that charge sheet has been filed; no further investigation is necessary and the applicant is in jail since 12.06.2017, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary and the statement of one Ravi Sonwani. It appears that the omni bus allegations have been attributed to the present applicant. Considering the fact that the charge sheet has been filed and the applicant is in jail since 12.06.2017 and looking to the nature of allegations, I am inclined to allow this bail application.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his 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 for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**