

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7118 of 2017

Sunil Kumar Deshlahre, S/o. Kapur Das Deshlahre, Aged About 28 Years,
R/o. Village Khertha, Surdung Road, Satnami Para, Police Station Jamul,
District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Jamul, District Durg,
Chhattisgarh.

---- Respondent

For Applicant : Mr. M.P.S.Bhatia, Advocate

For Respondent : Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.12.2017

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.438/2017 registered at Police Station- Jamul, District Durg (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. As per the prosecution case, one Digeshwari committed suicide by setting herself ablaze on 03.07.2017, subsequently she died on 04.07.2017, thereafter, a report was made by the brother of the deceased on 31.08.2017 that she was subjected to torture and abetment was caused, thereby she committed suicide.
3. Learned counsel for the applicant submits that initially no allegation of abetment was attributed to the present applicant and the statement of the father would show that omnibus allegations have been made in the month of September, 2017, the charge sheet has been filed and no further investigation is necessary; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statements. Considering the statement of Smt. Ombati & Smt. Buneshwari and the fact that charge sheet has been filed and no further investigation is required, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge