

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 7209 OF 2017

Ravindra Kumar Bunkar S/o Krishna Pal Bunkar, aged about 28 years, occupation Agriculturist, R/o village Nilkanthpur, PS & Tahsil Kusmi, Distt. Balrampur (CG).

... Applicant

Versus

State of Chhattisgarh Through The Station House Officer, Police Station Kusmi, District Balrampur, Chhattisgarh.

... Respondent

For Applicant	:	Smt. Indira Tripathi, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/12/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 11.08.2017 in connection with Crime No.62 of 2017 registered at Police Station Kusmi, Distt. Balrampur, for the offence punishable under Section 306/34 IPC.
2. As per prosecution, the applicant is said to have subjected the deceased torture, cruelty and ill treatment which forced her to commit suicide.
3. Learned counsel for the applicant submits that it is a case where the the deceased had left the matrimonial home and was staying at her parental home. Further, necessary ingredients for making out an offence under Section 306 IPC is missing from the contents of the case diary. There is no allegation of any instigation or abetment on the part of the present applicant with which the applicant could have been charged for the said offence, and therefore he may be released on bail.

4. On the other hand, the State counsel opposes the bail application on the ground that the nature of allegation is serious inasmuch as it is a case where the allegation is that the present applicant had doubted the character of deceased and with which he is said to have visited the parental house of the deceased and where the village Panchas had gathered for a meeting which led the deceased to commit suicide.
5. Considering the facts and circumstances of the case particularly taking into consideration the nature of allegation which have been levelled against the present applicant, 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