

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8294 of 2016

Ramesh Kumar Sahu, S/o. Indraman Sahu, Aged About 28 Years, Caste Teli, R/o. Village Pasuri, Police Station Kelhari, Tahsil Manendragarh, Districe Koriya, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Kelhari, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Avinash K Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/01/2017

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.51/2016 registered at Police Station- Kelhari, District Koriya (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased Shyambai committed suicide by consuming poison on 17.04.2016 who was the wife of the present applicant and she was married to the present applicant on 28.05.2010. It is alleged that she was subjected to extreme cruelty and also beaten; consequently, the applicant has abetted the deceased to commit suicide.
3. Learned counsel for the applicant would submit that on the trivial issues, the dispute happened in between the husband and wife and the applicant has not abetted the deceased to commit suicide

and no allegation can be attributed against the present applicant, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of Hanshraj, who is father of the deceased. Considering the facts and circumstances of the case, taking into the nature of allegation and the fact that the charge sheet has been filed, 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