

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8608 of 2016

Thakur Ram Sinha, S/o. Lakshan Sinha, aged about 40 years, R/o. Ghasiram Nagar, Near Durga Manch, Ghasidas Nagar, Jamul, P.S. - Jamul, Tahsil Durg, Civil and Revenue District – Durg (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : the Station House Officer, Police Station – Jamul, Civil and Revenue District – Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Goutam Khetrapal, Advocate
For Respondent	:	Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

11/01/2017

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.363/2016, registered at Police Station- Jamul, District – Durg (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. Case of the prosecution in brief is that on 10.06.2016 one Gendlal committed suicide by hanging. It is alleged that some family dispute took place in between the applicant and the deceased and the applicant is the relative of the deceased. Subsequently, over a dispute, the deceased committed suicide as he was dragged in a Court case.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is submitted that earlier on 06.06.2016 as per Annexure A/2, the wife of the applicant had made a report against the Gendlal and others, wherein he was granted bail, subsequently he committed suicide as such it can not be stated that the applicant has abetted the deceased to commit suicide. It is further

submitted that charge-sheet in this case has been filed and the applicant is in jail since 21.09.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. I have heard the learned counsel for the parties.
6. Perused the case diary, documents as also the statement of the witnesses. Considering the facts and circumstances of the case, the nature of offence and the fact that charge-sheet in this case has been filed and the applicant is in jail since 21.09.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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 his 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge