

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 100 of 2017

C. H. Nagarjun S/o C.H. Venkatesh, aged about 28 Years R/o H.P.T. A-I I/2, Irrigation Colony Rampur Chowki, Rampur, Police Station City Kotwali, Korba, District Korba, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh through District Magistrate Korba, Chhattisgarh. Chowki Rampur, Police Station City Kotwali, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. S. V. Purohit, Advocate
For Respondent	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

23/01/2017

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. 588/2016, registered at Police Station- Chowki Rampur PS City Kotwali, Korba, District – korba (C.G.) for the offence punishable under Section 306 of IPC.
2. As per the prosecution case, the deceased Janki committed suicide by setting herself ablaze on 03.02.2016. It is alleged that the present applicant who is the husband of the deceased subjected her to torture and abetted her to commit suicide thereby he has committed the offence.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He submits that there is no evidence to

show that the present applicant has abetted the deceased to commit suicide. It is further submitted that there is delay in lodging the FIR and therefore, considering these facts, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Perused the statement of the prosecution witnesses namely D. Radha, sister of the deceased.
6. Considering the statement of the prosecution witnesses and also the fact that the charge sheet has been filed, without any further observation on merits, this Court is inclined to release the applicant on 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 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