

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8681 of 2016

Ashish Kumar Yadav @ Anil, S/o. Santlal Yadav, aged about 32 years, R/o. Pali, P.S. - Korba, District – Korba (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : S.H.O., Police Station – Kotwali, District – Korba (C.G.)

---- Respondent

For Applicant	:	Mr. Alok Kumar Gupta, Advocate
For Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

16/01/2017

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.189/2016, registered at Police Station- Kotwali, District – Korba (C.G.) for the offence punishable under Section 306, 498 (A), 294, 323, 34 of Indian Penal Code.
2. Case of the prosecution in brief is that one Sunita Yadav committed suicide by setting herself ablaze on 28.03.2016 and she succumbed to the injuries on 16.05.2016. It is alleged that present applicant, who is the husband used to torture the deceased over different demand including dowry and he used to abuse and also alleged charges of theft over the deceased, whereby the applicant has abetted the deceased to commit suicide.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is submitted that charge-sheet in this case has been filed and no further investigation is required, and the applicant is in jail since 22.08.2016, therefore, the counsel prays that

the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case and further taking into the fact that charge-sheet in this case has been filed and the statement of the deceased is already on record and further taking into the degree of allegation and the date of marriage, without any further observation on merits, 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