

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 421 of 2017**

Sushil Kumar Kenwat S/o Sukhram, Aged About 26 Years Caste Kenwat, R/o Madhaibhatha, Police Station Sarsiva, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Station House Office, Police Station Sarsiva, District Baloda Bazar Bhatapara, Chhattisgarh.

**---- Respondent**

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For applicant - Shri Ragvendra Pradan, Advocate.  
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**1/02/2017**

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 8/12/2016 vide M.Cr.C. No.7769/2016 with liberty to file afresh before the trial court after charge sheet is filed.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.109/2016 registered in Police Station Sarsiva, District Balodabazar-Bhatapara (C.G.) for offence punishable under section 306 of Indian Penal Code.
3. As per the prosecution case, on 11/09/2016 deceased Triveni Bai consumed pesticide. Thereafter, she was admitted to the hospital and eventually died on 22/09/2016. It is alleged that deceased was wife of the applicant and the applicant has abetted the deceased to commit suicide as she was being treated badly by the applicant.
4. Learned counsel for the applicant submits that on the trivial issue the incident happened. It is further submitted that this is the second bail

application. The earlier bail application was dismissed on 8/12/2016 vide M.Cr.C. No.7769/2016 with liberty to repeat before trial court. After rejection of the bail before the trial court this is second bail. Therefore, the applicant may be enlarged on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the documents. Perused the statement of father Rameshwar Kewat and mother Chote Bai. Considering the statement, facts and circumstance of the case, charge sheet has been filed, this court is inclined to release the applicant on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE