

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5543 of 2017

- Rupray @ Rupram Dhritlahre S/o Derha Prasad, Aged About 35 Years R/o Village Mutpuri, Chowki Chandnu, Police Station Nandghat, District Bemetara, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Chowki Chandnu, Police Station Nandghat, District Bemetara, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Amiyakant Tiwari, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.10.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 157 of 2017 registered at Police Station Nandghat, Distt. Bemetara (C.G) for the offences punishable u/ss 498-A, 306 of IPC.
2. As per the prosecution case, one Gayatri Bai wife of the applicant committed suicide by setting herself ablaze on 10.05.2017. It is alleged that she was subjected to assault and torture as the husband used to suspect the fidelity of the victim/wife. Consequently she committed suicide by burning because of the abetment caused by the applicant.
3. Learned counsel for the applicant would submit that the applicant and deceased were married 12 years ago and out of the wedlock, the children were also borne. It is further submitted that on trivial issues the wife committed suicide, which would be evident from the statement of the witness as

just before a day, the deceased had come to attend the marriage and she was hale and hearty and went back. He further referred to the statement of Ku.Nirmala, the daughter, Samaru Das, the father and Sumitra Bai, the mother and would submits that these statements would show that no abetment has been caused. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, he may be released on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary and the statements of daughter, mother and father of the deceased. Considering the statements of the witnesses and the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is stated to be in June since 28.06.2017, I am inclined to allow this bail application.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE