

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 285 of 2018

- Sonalal S/o Late Balkaran, Aged About 20 Years, Caste Rajwar, R/o Village Kailashpur, P. S. and Tehsil Sonhat, District Koriya Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sonhat, District Koriya Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicant – Mr. Pushkar Sinha, Advocate.

For Non-applicant/State – Ms. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 07-11-2017 in connection with Crime No.102/2017 registered at P.S. Sonhat, District Koriya, Chhattisgarh for the offence under Section 306 of the IPC.

2. It is submitted on behalf of the applicant that the applicant is innocent and has been falsely implicated in this case. The wife, deceased has committed suicide is a fact, but this applicant has never given any inducement or abetted her to commit suicide. No case is made out against the applicant on the basis of evidence present in the charge sheet filed against him. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that there is direct evidence against the applicant that soon before death of the deceased, he had tortured his wife, the deceased by abusing and assaulting her, because of which, she committed suicide. Hence, the applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. Marriage of deceased Parvati took place with this applicant in the year 2015. After marriage the applicant started assaulting and beating the deceased by raising doubt on her character. On 20-08-2017 when the applicant came back to his house, the deceased was late in opening the door, because of which, the applicant gave her beating. Thereafter, the applicant called parents of the deceased and asked them to take her. While the mother of the deceased was residing in the same house, the deceased committed suicide in the morning of 21-08-2017 by hanging herself. Hence, this case.
6. Considered the submissions made and the contents of the case diary.
7. Taking into consideration the entire material present in the charge sheet and the facts that the applicant is local resident of District Koriya, no purpose would be served if he is kept in detention during whole period of the trial, I am of this view that the applicant should be benefited with grant of bail during pendency of the trial against him.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge