

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 172 of 2018**

Shailendra Thakur S/o Balram Thakur, Aged About 27 Years R/o House No. 227, Nehru Nagar-1 Pipar Chhedi Post Harwahi, P. S. Balod District Balod Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Khairagarh, District Rajnandgaon Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.P. Singh, Advocate.
For the Respondent/State	:	Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.02.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.246 of 2017, registered at Police Station Khairagarh, Chhattisgarh for the offence punishable under Section 306 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 13.12.2017 and he has been falsely implicated in this case. No significant act has been done by the applicant to suggest that he abetted his wife – Bharti Thakur to commit suicide. The applicant and his wife had some dispute because of which, they used to have simple exchange of words, it is very common in every household. The applicant is a government servant and his carrier is affected at this stage. Hence, it is prayed that the applicant

be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is ample evidence available in the investigation to show that the applicant was the person who by his conduct and behaviour compelled the deceased to commit suicide on the date of incident. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. The applicant and deceased – Bharti Devi Thakur were married on 27.4.2016 and both were residing in Tikrapara, Khairagarh. The applicant is a habitual drinker, because of which, the deceased objected and tried to stop the applicant from drinking, on account of this, both of them used to quarrel very often. On the date of incident, a similar quarrel took place and then the deceased committed suicide by hanging herself from the ceiling fan of drawing room. After inquest procedure, the FIR has been lodged registering offence against the applicant.

6. Taking into consideration the material present in the case-diary, and that this applicant is a government servant because of which there is no likelihood of absconding, this application is allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the 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/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi