

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 674 of 2018

Vishnu Sahu S/o Bhagelaram Sahu Aged About 49 Years R/o Village
Kapadah Thana And Tahsil Pandariya, Civil & Revenue District
Kabeerdham, Chhattisgarh., District : Kawardha (Kabirdham),
Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police
Station Pandariya, Civil & Revenue District Kabeerdham,
Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh ---
Respondent

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Adhiraj Surana, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.02.2018

1. This is second 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. 54 of 2017 registered at Police Station Pandariya, District Kabeerdham (C.G) for the offences punishable u/s 306/34 of IPC.
2. As per the prosecution case, one Vimla Sahu tried to commit suicide by setting herself ablaze in the intervening night of 15 & 16th December 2016 and thereafter she died on 19.12.2016. it is alleged that co-accused Lalaram Sahu who is step son and the applicant Vishnu Sahu who is husband have abetted the deceased to commit suicide.
3. Learned counsel for the applicant would submit that despiteailable warrants issued to the main witnesses, they have not appeared and the trial is being delayed. He referred referred to the order sheets dated 03.11.2017, 6.11.2017

and submits that even on the last date i.e., 18th January, the parents of the deceased have not appeared. He further submits that the appellant is in jail since 06.04.2017 and the charge sheet has been filed, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case and nature of allegations levelled against the applicant and looking to the delay in the process of trial as also the fact that the charge sheet has been filed and the appellant is stated to be in jail since 06.04.2017, I am inclined to release the applicant on bail.
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**