

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**M.Cr.C.No.200 of 2018**

Devan Miri S/o Shri Shyam Lal Miri, Aged about 28 years, R/o Caste Satnami, Jarhabhata Mini Basti, PS Civil Line, Bilaspur, Tahsil & Distt. Bilaspur (CG)

---Applicant

**Versus**

State of Chhattisgarh through Police Station Civil Line, District Bilaspur (CG)

---Non-Applicant

|                   |   |                                |
|-------------------|---|--------------------------------|
| For Applicant     | : | Mr.Dheerendra Pandey, Advocate |
| For Non-applicant | : | Mr.R.N.Pusty, Govt.Advocate    |

**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**03/04/2018**

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.696/2017, registered at Police Station-Civil Line, Bilaspur District-Bilaspur (CG), for the offence punishable under Section 306 of the IPC.

2. Case of the prosecution, in brief, is that the applicant had illicit relationship with Laxmin, divorcee and used to torture his wife Radhika Bai by which Radhika Bai consumed poison and committed suicide on 7.3.2017.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that date of incident is 7.3.2017 and F.I.R. has been lodged on 10.9.2017 i.e. after

more than six months and there is no explanation of delay in lodging the F.I.R. The applicant is in custody since 9.8.2017. There is no physical torture by the applicant, charge-sheet has been filed and no useful purpose will be served by detaining the applicant in jail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that on account of extra-merital affairs of the applicant with divorcee, the deceased has committed suicide.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, extent of delay in lodging the F.I.R., the fact that the applicant is in custody since 9.8.2017, charge-sheet has been filed and the evidence available on record, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)  
JUDGE

B/-