

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1286 of 2018

- Appu @ Tilak S/o Shri Ganesh Aged About 27 Years R/o.- Pendrikala- P.S. Kunda, Civil And Rev. District- Kabirdham (C.G.), District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S. Kunda Civil And Rev. District- Kabirdham (C.G.), District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicant	:	Mr. Dinesh Tiwari, Advocate.
For Respondent/State	:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

18/04/2018

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.152/2017 registered at Police Station– Kunda, District– Kabirdham(C.G.) for the offence punishable under Sections 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 8.8.2017. After completion of investigation, charge-sheet has been filed. According to the case of prosecution, no case is made out of abetment to commit suicide against the applicant. Hence, it is prayed that applicant be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.

4. Heard both the parties and perused the case diary.
5. According to prosecution case, on the date of incident the applicant was doing meson work and deceased his wife Annapurna Chandrakar was supplying bricks and mortar. It is alleged that applicant scolded the deceased that she was not supplying bricks and mortar and then also thrashed her because of which the deceased went to her own house and poured kerosene over her body and set herself ablaze. The fire was extinguished by the applicant and the deceased was admitted to the hospital for treatment. Dying declaration was recorded by the Magistrate in which she has given similar statement.
6. After due consideration material present in the case diary, I am of this opinion that this is a fit case where applicant should be granted regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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