

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1380 of 2018

- Bhavmeshwar @ Ram S/o Ghasiram Verma, Aged About 22 Years, By Caste Lodhi, R/o- Village Aacholi, Thana Dongargarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- District Magistrate, Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Parag Kotecha, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-04-2018

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.317/17 registered at P.S. - Dongargarh, District-Rajnandgaon, Chhattisgarh for the offence under Section 306 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 07-11-2017. Charge sheet has been filed after completion of the investigation and no case is made out against this applicant. Trial against this applicant is pending. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, deceased Devaki Bai, wife of this applicant, committed suicide by hanging herself for the reason that this applicant had illicit relationship with some other woman. Although a suicide note was found in the inquest procedure, but no specific statement or

allegation is present in that suicide note. Mother and father of the deceased had stated in the inquest procedure that the applicant used to torture the deceased by thrashing her on a number of occasions. Hence, this case.

6. Considered on the entire material present in the case diary. The trial Court shall be required to examine the proof of abetment according to the provisions under Section 107 of the IPC in this case, hence, without commenting anything on its merit, I am of this view that this applicant should be granted regular bail.

7. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge