

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1413 of 2018**

Durjey Bagh, S/o. Mahendra Bagh, Aged About 25 Years, R/o.- Mahavir Nagar, Janta Quarter, Behind Sai Temple, Rajendra Nagar, Raipur, District-Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station- New Rajendra Nagar, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushkar Sinha, Advocate

For State/respondent : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/04/2018**

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.06/2018, registered at Police Station – New Rajendra Nagar, District – Raipur (C.G.), for the offence punishable under Section 306 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 05.01.2018. No offence of abetment to commit suicide is made out against him according to the prosecution case. Charge-sheet has been filed after completion of investigation. Trial against the applicant is likely to take some time for its conclusion. Therefore, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted

that sufficient evidence is present against the applicant that he has abetted the deceased for commission of suicide, hence, no case is made out for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, the marriage of the applicant and deceased Nilu @ Sona Bag took place in the January, 2013 and subsequent to that they never had cordial relationship. The applicant all the times raised suspicion on the character of the deceased and used to quarrel with her. The deceased committed suicide on 26.12.2017 by hanging herself. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considered on the entire material present in the case diary, charge-sheet has been filed and the trial is likely to take sometime, hence for this reason, 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge