

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1804 of 2018

Kishmat Ram Patel S/o Shri Jailal Patel Aged About 24 Years R/o Village Dhod, Post Office And Police Station Khallari, District Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Khallari, District Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Respondent

Shri Hemant Kesharwani, counsel for the applicant/s.

Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

1. The applicant has been arrested in connection with Crime No.83/2017 registered at Police Station- Khallari, District - Mahasamund (C.G.) for alleged commission of offence under Sections 306 of IPC.

2. Case of the prosecution is that the applicant's wife committed suicide by consuming poison due to harassment and torture meted out by him.

3. Learned counsel for the applicant would submit that looking to the alleged harassment on very trivial issues, it cannot be said to be abetment to commit suicide and at the most, commission of offence under Section 498-A IPC can be made out. It is further submitted that the applicant has remained in jail since 24/05/2017. Therefore, at this stage, when the trial has not been concluded, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that substantial progress has already been made in the trial and many prosecution witnesses have already been examined. It is submitted that the

evidence during trial reflected harassment and torture by the applicant on various occasions and victim was assaulted also and finally she committed suicide. Therefore, this is a case of continuous torture and harassment

5. Considering the submission, I am not inclined to grant bail to the applicant. The application is rejected, however, with liberty to revive, if trial is not concluded within six months.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Deepti