

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No.1672 of 2018

- Roshan Nishad S/o Siyaram Nishad Aged About 23 Years R/o- Village Ghumarra, Outpost- Jalbandha, P.S.- Khairagarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Outpost- Jalbandha, P.S. Khairagarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri Rakesh Pandey,
Advocate.

For the Respondent/State : Shri Anant Bajpai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23.04.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 352/2017, registered at Outpost- Jalbandha, Police Station – Khairagarh, District –Rajnandgaon, (C.G), for the offences under Section 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. After completion of investigation the charge-sheet has been filed. No case is made out against the present applicant. He is in jail since 29.11.2017 and the trial is likely to take some time for its conclusion, for this reason, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. As per the prosecution case, deceased -(Monica Nishad) was married to the present applicant in the year 2017, at about 5 months prior to the date of incident. Prior to the death, the deceased -(Monica Nishad) has stated that this applicant used to ignore her and used pick up quarrel for petty reasons and also stated that he had illicit relationship with another woman, because of which, she had consumed rat poison and admitted to the hospital and on 08.08.2017 she died during the course of the treatment. Hence, this case.
6. Considering the submissions made, contents of the case diary and looking to the pendency of the trial, I am of this view that this applicant should be benefited with grant of 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