

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3872 of 2018**

- Anjori Ram Sahu S/o Late Shri Kejwa Ram Sahu Aged About 57 Years
R/o Village Silli, Police Station Fasterpur District Mungeli, Chhattisgarh.,
District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Fasterpur, District Mungeli,
Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

 For the applicant : Mr. Kesav Dewagan, , Advocate
 For the respondent/State : Mr. Sameer Behar, Dy.G.A.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

29-6-2018.

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants who has been arrested on 4-5-2018 in connection with Crime No. 35 of 2018 registered at Police Station Fasterpur, Distt. Mungeli (CG), for the offence punishable under Sections 306 and 498-A read with Section 34 of the IPC.
2. As per prosecution case, deceased Smt. Pushpa was married to Bhagatram, who is son of the present applicant, ten years back and she died of burn injuries on 30-3-2018 at night. It is alleged that the appellant harassed her and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that there is no evidence that the present applicant instigated the deceased to commit suicide, therefore, no offence is made out against him. He would further submit that the applicant has been falsely implicated in the instant case and is in jail since 4-5-2018, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the application for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Looking to the fact that no dying declaration is recorded in the present case and no suicidal note is seized and without further commenting on the merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules

Sd/-

(Ram Prasanna Sharma)
JUDGE

Raju