

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5361 of 2018

Khemraj Patel S/o Rup Ram Patel, aged about 42 years R/o Village Puraina,
P.S. Baramkela, District- Raigarh (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through the District Magistrate- Raigarh, District- Raigarh
(C.G.).

---- Respondent

For Applicant	:	Mr. Rajesh Kumar Sharma, Advocate
For Respondent	:	Mr. S.R.J Jaiswal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20/08/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 27/2018 registered at Police Station- Baramkela, District- Raigarh (C.G.) for the offence punishable under Section 306 of the IPC.
2. As per prosecution story, deceased- Chandrakanti Patel was the wife of the applicant and their marriage was solemnized before 22 years prior to the incident. It was alleged that on 07/02/2018, deceased after consuming poison committed suicide at her matrimonial house. It was also alleged that since after marriage, husband of the deceased i.e. the present applicant used to drink heavily and used to beat her wife, due to that she committed suicide.
3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case. He further submits that there is nothing on record on the basis of which it can be said that the applicant instigated or abated the deceased for committing the suicide. He further submits that prima-facie no offence under Section 306 of the IPC is made out against the applicant. The applicant is in custody since 14/05/2018, charge-sheet has been filed and the trial is likely to take some time to conclude, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly that charge-sheet has already been filed, the applicant is in custody since 14/05/2018 and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel