

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5625 of 2018

Gurnem, S/o. Shri Babu Lal, Aged About 26 Years, R/o. Village Armarikala,
Police Station- Gurur, Tahsil- Gundardehi, District- Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station-
Supela, District- Durg, Chhattisgarh.

---- Respondent

For Applicant : Ms. Laxmeen Kashyap, Advocate

For Respondent : Mr. R.K.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.08.2018

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.175/2018 registered at Police Station- Supela, District Durg (C.G) for the offence punishable under Sections 306/34 of I.P.C.
2. As per the prosecution case, the deceased Jhemini Bai had committed suicide by setting herself ablaze. It is alleged that the present applicant/ husband alongwith other co-accused mother-in-law and father-in-law has abetted the deceased to commit suicide, as she was treated with cruelty.
3. Learned counsel for the applicant submits that there is no abetment and only on presumption, the applicant has been inculpated. He further submits that the other co-accused have already been enlarged on bail by this Court and in the present case charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of Maina Bai & Santoshi Bai. Considering the nature of allegation and the fact that the other co-accused have already been released on bail, the applicant is in jail since 31.03.2018 and the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge