

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 6060 of 2018**

Tula Ram Sonkar S/o Shri Sevak Ram Sonkar Aged About 28 Years R/o-  
Village Khudmuda, P.S. Amleshwar, District- Durg, Chhattisgarh., District :  
Durg, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station  
Amleshwar, Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri Mateen Siddiqui, Advocate.  
For the Respondent/State : Shri Ashok Swarnakar, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****04.09.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn in M.Cr.C. No. 4359 of 2018 dated 04.07.2018. The applicant has been arrested in connection with Crime No.9 of 2018, registered at Police Station – Amleshwar, Durg, District Durg, Chhattisgarh for the offence punishable under Sections 304B (wrongly mentioned as 304A in bail rejection order) and 306/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 23.01.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The main witnesses in this case, namely, father and mother of the deceased have been examined before the trial Court

have not supported the prosecution case. Similarly placed co-accused persons – Sevak Ram Sonkar and Pramila Bai have been granted bail by this Court in M.Cr.C. No. 3744 of 2018, vide order dated 04.07.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The case against the applicant is that deceased – Janki Bai Sonkar, wife of the applicant committed suicide on 17.1.2018 by setting herself ablaze. It was alleged by the applicant that the deceased had an affair with her uncle-in-law which lead to her suicide. Hence, this case.

6. Considered the entire material present in the case-diary and also perused the certified copy of the deposition of the main witnesses in this case, father and mother of the deceased, has been recorded before the trial Court and on perusal of the same, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge

Nimmi