

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6280 of 2018

- Devnarayan Sahu S/o Budharu Ram Sahu, Aged About 28 Years, R/o- Barouda, Police Station- Vidhansabha, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Vidhansabha, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Navin Shukla, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 31-03-2018 in connection with Crime No.99/2018 registered at P.S. - Vidhansabha, Raipur, Chhattisgarh for the offence under Section 306, 34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 31-03-2018. No case is made out against him. The deceased, wife of the applicant was residing separately, where she has committed suicide, there had been no connection of this applicant to give any abetment to the deceased to commit suicide. Similarly placed co-accused persons have been granted regular bail in MCRC No.4682/2018 and MCRC No.4727/2018 by this Court vide order dated 24-07-2018. Hence, it is prayed that this applicant may also be granted regular bail. .

3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant is husband of the deceased and he is mainly responsible for suicidal death of the deceased, hence, the application may be

rejected.

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

5. As per the prosecution case, deceased Dropati Sahu along with her son of 1 ½ years committed suicide by setting her ablaze on the date of incident. It has been found in the investigation that there is allegation that this applicant was having illicit relation with some other person which had been cause of the dispute.

6. After considering on the material present in the case diary, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge