

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8115 of 2017

- Samresh Sardar, S/o Kartik Sardar, aged about 27 years, R/o Kervasheela, Krishnanagar, Police Station Ramanujganj, district.- Balrampur Ramanujganj (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: the Station House Officer, Police Station Ramanujganj, Distr.-Balrampur Ramanujganj (Chhattisgarh).

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate.

For Respondent/State : Mr. Vijay Bhadur Singh, Penal Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

12/03/2018

1. Heard.
2. 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. 120/2017 registered at Police Station- Ramanujganj, District – Balrampur Ramanujganj (Chhattisgarh) for the offence punishable under Section 306 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case as no case is made out against the applicant on the basis of the material available in the charge sheet. It is submitted that the applicant is in detention since 31.08.2017 and he is ready to abide by all the conditions and directions to be imposed on grant of bail. Hence, it is prayed that applicant may be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. Marriage of the applicant with the deceased- Monalisa has taken place one year prior to the date of incident i.e. 31.07.2017. The wife of the applicant consumed some poisonous substance and during the course of her treatment, she died. FIR to this effect was lodged on 31.08.2017 against this applicant, and on the perusal of the statement given by father of the deceased on 01.08.2017 during inquest, it is reflected that there have been some financial crisis in the family of the applicant which was the cause of the dispute between the applicant and his wife/the deceased.
7. Considering the material present in the case diary, and that there is no substantial progress in the trial, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge