

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8076 of 2018**

Kumbhram, S/o Maniram Kewat, Aged About 29 Years, R/o Barbaspur, Tahsil Chhuikhadan, District- Rajnandgaon (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: The Station House Officer, Police Station Gandai, District- Rajnandgaon (C.G.)

---- Respondent

 For Applicant : Mr. Abhishek Sharma, Advocate.
 For State : Mr. Vinod Kumar Tekam, P.L.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board**

30/10/2018

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 02.10.2018 in connection with Crime No. 109/2018 registered at Police Station- Gandai, District- Rajnandgaon (C.G.), for the offence punishable under Section 306 of IPC.
2. As per the prosecution case, wife of the applicant namely Hembai Nishad committed suicide by pouring kerosene oil and put fire. It is alleged that the applicant used to beat her that is why she committed suicide.
3. Learned counsel for the applicant submits that there is no prima facie evidence of abetment against the present applicant, therefore, the applicant may be enlarged on bail.
4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the fact that no suicidal note or dying declaration is there on record and proceeding is going on only for the statement of parents of the deceased, without further commenting on merits of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge