

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 29 of 2019**

- Murari Lal Sahu S/o Tikaram Sahu Aged About 35 Years Occupation Servant, R/o Village Kirodimalnagar, Police Station Kotra Road Raigarh, Tahsil And District Raigarh Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotra Raod, Civil And Revenue District Raigarh Chhattisgarh

---- Respondent

For Applicant	Mr. Dheerendra Pandey, Advocate
For Respondent /State	Mr. Gagan Tiwari, Dy. GA

Order On Board By**Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ****12/4/2019**

1. Heard.
2. This is an 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.58/2018, registered at Police Station Kotra Road, District Raigarh (CG) for the offence punishable under Section 306 of IPC.
3. The case of the prosecution is that the applicant and deceased Basanti were married more than 5 years back. For about 2 years, they led a happy and peaceful married life. At this

junction, a son was born out of the wedlock, who is presently 3 ½ years old. According to the statements of deceased's mother Shanti and her brother Bhojram, the applicant used to treat the deceased with cruelty and was subjecting her to physical torture.

4. The material collected by the prosecution would not throw much light on the immediate cause of murder. The issue as to whether continued maltreatment of the deceased would attract Section 306 of IPC would depend on nature of evidence led by the prosecution during trial.
5. Therefore, for the present, considering that the applicant is in jail since 29.10.2018; the charge sheet has already been filed and; the trial may take some more time, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice

Shyna

Shyna