

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2201 of 2019**

Premlal Dhruv S/o Late Jethuram Dhruv, aged about 40 Years R/o School Para, Hatkeshar, Dhamtari, Police Station City Kotwali, District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station City Kotwali, Dhamtari, District Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Mr. Anil Gulati, Advocate
For Respondent/State	: Mr. K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/05/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 59/2019, registered at Police Station—City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. As per prosecution story, the marriage of the applicant was solemnized with the deceased namely Tuvesh in the year 2007 and out of their wedlock they were blessed with two children. It is alleged that after marriage applicant used to consume liquor and ill treat the deceased. Ultimately on 29.10.2018 the deceased committed suicide by hanging herself. Morgue was lodged by Hulesh Kumar and after morgue inquiry, offence has been registered. The applicant has been taken into custody on 03.02.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the

present case. He further submits that prima facie no offence u/s 306 can be made out against the applicant. He also submits that material witnesses have been examined and none of them has supported the case of the prosecution and turned hostile. The Applicant is in custody since 03.02.2019 and trial is likely to take some time, therefore, Applicant may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering that applicant is in custody since 03.02.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge