

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4338 of 2019

- Arjun Singh Thakur, S/o Late Goverdhan Singh, Aged About 38 Years
R/o Jamgaon, Police Station Bagbahra, District- Mahasamund,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station
Bagbahra, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vikash Pradhan, Advocate.
For Respondent	:	Mr. Kapil Maini, Panel Lawyer.

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

20/08/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.117/2019 registered at Police Station– Bagbahra District–Mahasamund.G.) for the offence punishable under Sections 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant. The FIR in this case has been registered after almost passing of one year which shows that the case is concocted against the applicant. The applicant is now facing the trial, therefore, he may also be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.

4. Heard both the parties and perused the case diary.
5. According to the prosecution case, deceased was the wife of this applicant and their marriage is about 15 years old. It is alleged that this applicant used to doubt on the integrity of his wife and used to allege that she was having illicit relation with some other person. On account of which the deceased committed suicide by consuming some poisonous substance on 25.5.2018. After a long and belated morgue inquiry, FIR has been registered almost after one year on 4.5.2019.
6. Considering that the case against this applicant is now pending for trial before the concerned trial Court and there is no likelihood of this case to be concluded, therefore, I feel inclined to allow the application of this applicant.
7. 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 furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge