

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5437 of 2019

- Pardeshi Ram Sahu, S/o Jogiram Sahu, Aged About 55 Years, R/o Village Risda, Police Station City Kotwali, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station City Kotwali Balodabazar, District-Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Respondent	:	Mr. Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/10/2019

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.440/2019 registered at Police Station–City Kotwali, Balodabazar, District– Balodabazar, Bhatapara(C.G.) for the offence punishable under Sections 498-A & 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. He is in jail since 03.08.2019. The applicant has not committed any offence and the charge-sheet has been filed, hence, it is prayed that he may 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 prosecution case, the deceased Neetu Sahu got married to son of this applicant about 3 years prior to the date of incident. It is alleged, that this applicant used to treat the deceased with cruelty and on one occasion, he had also kicked in her abdomen because of which she has to undergo treatment for the same, thereafter, when the deceased again came to live in her matrimonial home, just after seven days, she committed suicide by setting herself ablaze by pouring kerosene oil over her body on 28.4.2019. FIR has been lodged after completion of morgue inquiry.
6. On perusal of case diary, it is found that the FIR has been lodged on 3.8.2019 and the first statement was given by father of deceased on 15.7.2019 that is about two months from the date of incident. Further, the charge-sheet has also been filed, 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

