

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5722 of 2019

- Bhuwanlal Sahu, S/o Late Shri Manrakhan Sahu, Aged About 69 Years,
R/o Village Dhodhra, Police Station Abhanpur, District : Raipur,
Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station
Abhanpur, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Jitendra Shukla, Advocate.

For Non-applicant/State : Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04.10.2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 12.08.2019 in connection with Crime No.404/2019, registered at Police Station– Abhanpur, District-Raipur, Chhattisgarh for offence punishable under Sections 306/34 of the I.P.C.
2. It is submitted by learned counsel for the applicant that the applicant has not committed any offence. The deceased namely Kumari Tuleshwari Sahu has committed suicide on 01.03.2017, and after a long delay, the FIR has been lodged on 10.08.2019, to which there is no explanation. Charge sheet has been filed. It is further submitted that the applicant has not made any inducement to the deceased to commit suicide. Therefore, prayed that application be allowed.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is a grand father of the applicant, who

negotiated and engaged the deceased for marriage, due to which, she went in depression and committed suicide. Therefore, prayed that application be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on 01.03.2017, deceased Kumari Tuleshwari Sahu committed suicide by setting herself ablaze. During merg inquiry, it was disclosed that the applicant had engaged the marriage of the deceased, because of which, she got frustrated and depressed, therefore, she has committed suicide.
6. Considering the nature of allegations of this case and further that the case is now pending for trial , I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

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