

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5959 of 2019**

- Chandrakant Dubey @ Pappu S/o Tejnath Dubey Aged About 34 Years R/o Village Batera, Police Station Dondilohara, Tahsil Dondilohara, District Balod, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh, Through : SHO- Police Station Dondilohara, Tahsil Dondilohara, District Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A. K. Prasad, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 112/2019 registered at Police Station Dondilohara, District-Balod (C.G.) for the offence punishable under Section 306 of the IPC.
2. The prosecution story, in brief is that, the applicant, husband of the deceased harassed and treated her with cruelty, due to this applicant's wife consumed poison on 26.06.2019 at about 10 am. and during the course of treatment she died on 27.06.2019 at about 6 pm. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the deceased committed suicide due to heat of anger on her own as she is short tempered by nature. The applicant is in jail since 04.07.2019, there is no likelihood of his

case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the charge-sheet has been filed. The present applicant is in jail since 04.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**