

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3954 of 2020**

- Ram Swaroop Singh S/o Kanhai Singh Aged About 22 Years R/o Bisunpur, Police Station Ramchandrapur, District Balrampur-Ramanujganj Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Ramchandrapur, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondent

For Applicant	:	Shri D.Kushwaha, Advocate
For State	:	Shri Alok Bakshi, Addl. Adv. General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/07/2020**

This is second bail application. First application was dismissed as withdrawn.

1. The applicant has been arrested in connection with Crime No.47/2019 registered at Police Station – Ramchandrapur, District – Balrampur – Ramanujganj (C.G.) for alleged commission of offences under Section 306 of IPC.
2. Prosecution allegation is that the applicant doubted the character of his wife Sumitra that she was having illicit relation with other person, used to torture and beat her due to which, she committed suicide on 24/07/2019 by hanging herself.
3. Learned counsel for the applicant submits that the allegation against the applicant is based only on the ground that the applicant had beaten up his wife doubting her character. He further submits that this by itself would not amount to abetment for commission of suicide. Further submission is that the applicant is in jail since 16/11/2019 and till date, charges have not been framed and looking to the present situation, trial is not likely to start early, much less concluded within reasonable time. Therefore, in these circumstances, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that there are number of statements of prosecution witnesses taken during investigation which shows that the applicant was doubting character of his wife that she was having illicit relation and used to torture and subject her to physical violence, due to which, she committed suicide. Therefore, *prima facie* case of abetment of suicide is made out.

5. Heard learned counsel for the parties. Without commenting upon the merits of the case, considering that the applicant is in jail since 16/11/2019 and is not likely to abscond nor in a position to tamper with the prosecution witnesses and further that trial is not likely to be concluded early, I am inclined to grant bail to the applicant.

6. Accordingly, the bail application is 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/- along with one local surety for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge