

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5683 of 2020**

- Dileshwar Prasad Khunte S/o Late Muritram Khunte Aged About 25 Years R/o Village Khamhariya, Ward No.13, Police Station Baradwar, District Janjgir Champa, Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh Through District Magistrate, District Janjgir Champa, Chhattisgarh. **---- Respondent**

For Applicant	:	Shri C.P. Lahrey, Advocate
For State	:	Shri Alok Bakshi, Addl. A. G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****12/10/2020**

1. Heard on application for grant of bail.
2. The applicant has been arrested on 04.07.2020, on the allegation of having committed offence under Section 306 of I.P.C. He moved this application for grant of bail in connection with Crime No.184/2020 registered at Police Station- Baradwar, District- Janjgir Champa (C.G.).
3. Prosecution case is that the because of the harassment/torture and ill treatment meted out the deceased by the applicant/husband, deceased committed suicide.
4. Learned counsel for the applicant submits that in the present case, the allegation against the present applicant is that he was harassing his wife and provoking her to commit suicide before ten months of her death and on 20.09.2018 she committed suicide. He would submit that though according to the prosecution the cause of death is assault and instigation, no allegation was levelled against anybody for ten months though, the family of the deceased is residing just opposite the house of the applicant and only in the month of July 2020, F.I.R. has been registered therefore, at this stage, the applicant may be granted bail when investigation is complete, charge-sheet

has been filed.

5. Learned State counsel submits that the allegations are serious in nature that the husband used to harass his wife and also subject her to cruelty and not allowing her to frequently visit her parental house and also instigated her to commit suicide. He would further submit that various statements were recorded in the year 2019 during merg inquiry and diary statements were recorded and F.I.R. was registered on 04.07.2020.
6. I have heard learned counsel for the parties and the material available and particularly taking into consideration that the allegations against the applicant have come up in various statements long after death of the deceased and there is nothing to show that in any suicidal note that deceased made any allegation against the applicant and that investigation is complete, charge-sheet has been filed, therefore, it is a fit case for grant of bail.
7. 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/- with two local sureties 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) The applicant shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge