

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7694 of 2020**

- Rajkumar (Raju) Verma S/o Dilip Kumar Verma Aged About 22 Years R/o Village Latuva, Tahna City Kotwali Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Thana City Kotwali Baloda Bazar, District Bhatapara, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Samit Singh, Advocate.
For State	:	Mrs. Hamida Siddiqui, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order on Board****15-12-2020**

1. Heard
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in custody in connection with Crime No. 259 of 2020 registered in Police Station- City Kotwali Baloda Bazar, District Baloda Bazar (CG) for alleged commission of offence under Sections 306 and 201/34 of IPC.
3. Case of the prosecution, in brief, is that the wife of the applicant committed suicide by consuming some poisonous substance. It is also alleged that applicant suspected her character and tortured the deceased which abetted her to commit suicide.

4. Learned counsel for the applicant would submit that from the facts disclosed by the State itself, no case of abetment is made out, the applicant has been arrested only as he happened to be husband of the deceased. He would further submit that the deceased has left suicidal note which does not involve the present applicant in any allegation that he used to harass his wife and suspected her character. He would further submits that the case of the prosecution is based on the omnibus statement made by some other witnesses being relatives of the deceased. He would further submit that the applicant is in jail since 10-10-2020, investigation is complete and charge sheet has been filed. He also submits that the case of the present applicant is identical to the case of other co-accused namely Dilip Kumar who is father of the present applicant, has already been granted anticipatory bail by co-ordinate Bench of this Court by order dated 13-7-2020 passed in M.Cr.C.A.No. 593 of 2020, therefore, the applicant may be admitted to bail.
5. On the other hand, learned counsel for the State would submit that though the wife of the applicant did not make any allegation against the present applicant in the suicidal note left by her and seized by Police during investigation, the other witnesses being relatives of the deceased have stated that the applicant used to harass his wife and suspected her character, therefore, prima facie, a case is made out.
6. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration that in the suicidal note left by the deceased there are no allegations against the present applicant and the allegations leveled by other

witnesses are omnibus in nature and further considering the fact that co-accused has already been granted anticipatory bail, investigation is complete and charge-sheet has been filed, I am inclined to grant bail to the applicant.

7. The application is accordingly 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 two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:-

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Manindra Mohan Shrivastava)

Judge

Raju