

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8279 of 2019**

- Rakesh Nishad S/o Chintaram Nishad Aged About 28 Years R/o Village Khairi Kuteli, Police Station Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant. : Mr. Abhishek Sharma, Advocate.
 For Respondent/State : Mr .Vinod K. Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.02.2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 175/2019 registered at Police Station – Chhuikhadan, District Rajnandgaon (C.G.) for the offence punishable under Section 306 of IPC.
2. The prosecution story in brief is that, on 22.04.2019, deceased Rameshwari Kewat committed suicide by hanging herself. The present applicant is the husband of the deceased and the allegation against the present applicant is that he used to harass and commit mar-peat with her. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case.

Applicant never abetted or tortured her for suicide. He next submits applicant is jail since 19.11.2019, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, 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, and further considering that the applicant is in jail since 19.11.2019, as 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 surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

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

Vijay Sahu