

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8282 of 2019**

- Mohan Sahu S/o Dhansay Aged About 29 Years R/o Village Karhidih, Thana Komakhan, Tahsil Bagbahara, District Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Komakhan, District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant. : Mr. Vikas Pradhan, Advocate.
 For Respondent/State : Ms. Akshara Amit, 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. 104/2018 registered at Police Station – Komakhan, District Mahasamund (C.G.) for the offence punishable under Sections 498(A) & 306 of IPC.
2. The prosecution story in brief is that, the complainant, in the state of intoxication, used to hurl abuses and commit mar- peet with his wife, due to which, after being harassed, she committed suicide by setting herself ablazed consequently, she died. 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 05.07.2019, 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, dying declaration and further considering that the applicant is in jail since 05.07.2019, 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