

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1085 of 2021

1. Roshan Tandan S/o Shri Bhojram Tandan, Aged About 27 Years,
R/o Village Budera, P.S. Kharora, District Raipur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Station House Officer, P.S.
Kharora, District Raipur (C.G.).

---- Respondent

For Applicant	: Mr. Anil Gulati, Advocate appears on behalf of Mr. C.P. Lahrey, Advocate.
For Non-Applicant/State	: Mr. Amit Singh Chouhan, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

05/04/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 15/01/2021 in connection with Crime No. 7/2021 registered at Police Station Kharora, District Raipur (C.G.) for the offence under Section 306 of IPC.
- 2) Allegation against the present applicant is that he used to suspect the fidelity of his wife Sanuja @ Annu (deceased) and on this count there used to be dispute/quarrel between them frequently. The applicant also used to harass his wife physically and mentally, due to which she committed suicide by hanging.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He further submits that the applicant has been arrested on 15/01/2021, applicant has no other criminal antecedents and conclusion of trial is likely to take some time for its disposal. Therefore, the applicant deserve to be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application. However, he submits that the applicant has no criminal antecedents.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, there is no any specific allegation that the appellant used to suspect the character of his wife, the appellant has 03 years old daughter, the nature of allegation made against the applicant, the fact that no injury found on the body of the deceased, the detention period of the applicant who is 27 years old, charge sheet has been filed, and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of applicant executing a personal bond for a sum of **Rs. 50,000/-** with **two** sureties of Rs. 25,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - iv. he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Court.

-Sd/-
(Gautam Chourdiya)
Judge