

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2469 of 2021

Narendra Manvatkar S/o Late Dhaniram Manvatkar Aged About 48 Years R/o Village - Kanan, Police Station Kanan, District Nagpur (Maharashtra), Presently R/o Railway Colony, Quarter No. 53, Station Para Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Police Station - Kotwali, O.P. Chikhli, District Rajnandgaon Chhattisgarh.

---- Respondent

For applicant - Shri Aditya Bharadwaj, Advocate.
For Respondent/State – Shri Siddharth Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/07/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.97/2021 registered in Police Station O.P. Chikhli, Police Station Kotwali, District Rajnandgaon (C.G.) for offence punishable under section 306 of Indian Penal Code.
2. As per the prosecution case, wife of the applicant namely Bhavna committed suicide by setting herself ablaze. It is alleged that the deceased was being tortured by the husband on the trivial issue, it has caused mental trauma, consequently she committed suicide for which the applicant was liable.
3. Learned counsel for the applicant submits that no dying declaration exists in this case only on the presumption the applicant has been arrested on the statement of Vidya Milind but there is no instigation for committing such suicide by the applicant, charge sheet has been filed, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that the applicant abetted the deceased to commit suicide, therefore the applicant may not be released on bail.

5. Considering the submission and statement of the witnesses, charge sheet has been filed, no further investigation is necessary, there is no dying declaration exist in this case, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE