

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7789 of 2021

Ramnivas Dhuri S/o Shri Vishmbhar Dhuri Aged About 36 Years R/o Village Chhirhapara, Pachbahra, P.S. And Tahsil Takhatpur, Bilaspur, District Bilaspur Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh Through Station Officer, Police Station Takhatpur, District Bilaspur Chhattisgarh. **---- Non-Applicant**

For Applicant: Ms Upasna Mehta, Advocate.
For Non-Applicant/State : Shri Vaibhav Kartik Agrawal, Panel Lawyer.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

25.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.408/2021 registered at Police Station – Takhatpur, District – Bilaspur, Chhattisgarh for the offence punishable under Section 306 IPC.
2. Prosecution case in brief is that the wife of the present Applicant has committed suicide on account of being harassed by him. Merg intimatin was registered on 22.09.2020 and the FIR was registered after a year from the date of incident.
3. Learned Counsel for the Applicant submits that the Applicant has no connection with the crime in question at all and has been falsely implicated in the same for which, he is in jail since 11.09.2021 and that there is no incriminating material against him which may hold him guilty for the commission of offence punishable under Section 306 IPC. She further

submits that inordinate delay has occurred in the lodging of the FIR and the present Applicant is the permanent resident of this State and therefore, he may be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application and submits further that the charge sheet has been filed.

5. Considering the facts and circumstances of the case, the nature of allegation, the fact that there was no such provocation for committing suicide, the trial of the case is likely to take sometime for its conclusion, I am inclined to grant regular bail to the Applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya