

**THE HIGH COURT OF MADHYA PRADESH**

**M.Cr.C. No. 21262 of 2020**

**(Banesingh Vs. State of MP)**

**Indore, Dated: 9/7/2020**

Shri Ashish Gupta learned counsel for applicant.

Shri Chetan Jain learned counsel for State.

Heard through video conferencing.

This is an application made by the applicant (accused) under Section 439 Cr.P.C. for grant of bail during trial.

Notice of this application was served on the State counsel. Case diary as per the direction of this Court has been produced and it has been perused.

The applicant is facing trial for offence punishable under Sections 306 of IPC registered with Police Station Mahidpur District Ujjain, in Crime no.214 /2020.

Learned counsel for the applicant submits that wife of the applicant had committed suicide by hanging after 25 years of marriage. He further submits that the allegation against the applicant is that he used to harass the deceased since she was unable to deliver the child. He further submits that in the earlier complaint by mother of deceased there was no such allegation and that the offence under Section 306 of IPC is not made out as there is no material in respect of abetment. He also submits that applicant is in custody since 15/6/2020 and investigation is complete and challan has been filed.

Learned counsel for the State has opposed the application for grant of bail and has referred to the statements of mother and father of deceased.

On perusal of the case diary and considering the circumstances of the case, I find prima facie force in the submissions made by the counsel for applicant. Hence I am of

the considered view that the application for grant of bail deserves to be allowed and is accordingly **allowed**.

The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.35,000/- (Rupees Thirty Five Thousand) with one surety in the like amount to the satisfaction of the Trial Court for his appearance as and when directed.

The applicant will attend each hearing of his trial before the Trial Court out of which this bail arises. Any default in attendance in Court would result in cancellation of the bail granted by this Court.

Certified copy as per rules.

**(Prakash Shrivastava)**  
**Judge**

BDJ