

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 244 of 2016

- Jitendra Sonwani S/o Fagu Ram Sonwani Aged About 24 Years
R/o Gatouri, P.S. Koni, District Bilaspur Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh through The Station House Officer, Police
Station Koni, District Bilaspur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Uttam Pandey, Advocate.
For the Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 117/2015 registered at Police station Koni, Distt. Bilaspur (C.G) for the offences punishable under sections 306, 376, 377, 417, 420 of IPC.
2. As per the prosecution case, the applicant who was in love affairs with one Chandini Kashyap had sexually exploited her and thereafter, applicant Jitendra Sonwani performed marriage with another lady. Consequently on 19.6.2015, the deceased went to the house of applicant and thereafter committed suicide by hanging. During investigation a diary of the deceased was recovered, therefore, different offences u/s 376, 306, 377, 417 and 420 are made out.
3. Learned counsel for the applicant submits that the deceased was in love relations with the applicant, however, she was suffering cancer and therefore the marriage could not be performed and

she herself has committed suicide and the applicant has not abetted her. He further submits that the charge sheet has been filed and the applicant is in jail since 03.07.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents which have been filed along with charge sheet.
6. Taking into prima facie evidence available in this case and the diary of deceased which is subject of evidence as also considering the fact that charge sheet in this case has been filed and the applicant is in jail since 03.07.2015, I am inclined to release the applicant on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE