

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2750 of 2016

Uma Dutt Rajwade, S/o. Shri Ganga Ram Rajwade, Aged About 22 Years,
R/o. Village Bharuamuda, Post Krishnapur, P.S. Surajpur, Tehsil
Ramanujnagar, Revenue & Civil Distt. Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer Patna, Revenue &
Civil Distt. Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mr. Surfaraj Khan, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.175/2015 registered at Police Station- Patna, District Koriya (C.G.) for the offence punishable under Section 306/34 of Indian Penal Code, Section 66(A)(B) of the Information Technology Act, 2000 and Section 3(1-10) & 3(2-5) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that the deceased Soniya has committed suicide by hanging on 27.01.2015 and it is the case that the applicant was in love relation with the deceased and the applicant and other accused exchanged abusive e-mail with respect to the girl and subsequently, as a result, she committed suicide.

3. Learned counsel for the applicant would submit that the deceased has recorded dying declaration wherein she has not attributed any allegation against this applicant and taking into such fact, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the mother as also the extract of the dying declaration. Taking into totality of the case and the facts and circumstances of the case and fact that the charge sheet has been filed and the applicant is in jail since 22.01.2016, I am inclined to release the applicant on bail.
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.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge