

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4476 of 2016

1. Rajesh Khatik, S/o. Shri Sharan Lal Khatik, aged about 37 years, R/o. Bada Bajar Chirmiri, Thana – Chirmiri, Tahsil – Khadgawa, Civil and Revenue District – Korea (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station- Chirmiri, Civil and Revenue District – Korea (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/08/2016

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.110/2016, registered at Police Station – Chirmiri, District – Korea (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 04.05.2011, one Nazma Begum committed suicide by hanging. It is alleged that the applicant, who was in relation with the deceased developed physical relation and thereafter, refused to marry and the love relation was objected by the family members of the deceased. Consequently she committed suicide.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the applicant has not

committed any offence. It is further submitted that the applicant was in love relation with the deceased and she was not allowed to marry, therefore, she committed suicide. It is further submitted that the offence is of the year 2011 and the applicant has been arrested on 08.06.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and statements. Considering the statement and the evidence collected by the prosecution and further considering the facts and circumstance of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge