

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3713 of 2017

- Rakesh Banjare S/o Mansha Ram Banjare, Aged About 32 Years R/o Village Bijradhih, Police Station Palari, Police Chowki Gidhpuri, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh. -- **Applicant**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Palari, Baloda Bazar, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Janak Ram Verma, Advocate
For the State	:	Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 29/2017 registered at P.S. Palari, Distt. Baloda Bazar-Bhatapara C.G) for the offence punishable under Section 306 IPC.
2. As per the prosecution case, one Hema Gendre consumed poison on 15.10.2016 and died on 18.10.2016. It is alleged that the present applicant who was in relation with the deceased has refused to marry and abetted her to commit suicide and at his instance, she consumed poison thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the first bail application was dismissed as withdrawn on 22.03.2017 with liberty repeat the same after filing of the charge sheet. He submits that the charge sheet has been filed and there is no evidence on record to show that there has been any previous existing relation of the deceased with the applicant,

therefore, nothing can be attributed to the applicant. He further submits that the applicant is in jail since 19.01.2017, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the prayer.
5. Perused the statement of father of deceased Lala Ram Gendre and other witnesses. Considering such statements of witnesses and the fact that the charge sheet has been filed and the applicant is in jail since 19.01.2017, I am inclined to release the applicant on bail.
6. Accordingly the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance as and when directed by the said Court.

Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**