

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 272 of 2018

Devsharan Rawate S/o Raghunath Rawate Aged About 27 Years R/o
Village Kanera, District Kondagaon Chhattisgarh, --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer Police Station
Narayanpur District Narayanpur Chhattisgarh, --- **Respondent**

For the applicant	:	Mr. Uttam Pandey, Advocate
For the Respondent	:	Mr. Adhiraj Surana Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.02.2018

1. This is 3rd 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. 13 of 2016 registered at Police Station Narayanpur, Distt. Narayanpur (C.G) for the offences punishable u/s 306 & 376 of IPC.
2. The first bail application was dismissed on 20.07.2017 and thereafter the second bail application was dismissed on 19.07.2017.
3. As per the prosecution case, the applicant was in love relation with the deceased, thereafter, on the pretext of marriage the applicant sexually exploited the girl and ultimately he refused to marry her which led her to commit suicide in the intervening night of 31.01.2016 and 01.02.2016, thereby the aforesaid offence was committed.
4. Learned counsel for the applicant would submit that since 09.02.2016, no substantial progress in the trial has taken

place. He further submits that the appellant is in jail since 09.02.2016, therefore, looking to the delay in process of trial and the custody period of the applicant, he may be enlarged on bail at this stage.

5. On 24.01.2018, learned State Counsel was directed to enquire about the status of trial. Thereafter when the matter was taken up on 09.02.2018 he stated that communication has already been sent and again he sought time to enquire about the stage of trial. Even today when the matter is taken up, learned State Counsel submits that the communication has not been received. It appears that there is some deliberate avoidance to make submission before this Court as despite repeated opportunities are granted, no cooperation is being made by the State. In view of the same, I am inclined to allow this bail application.

6. Accordingly, this 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 concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**