

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2017 of 2018**

Harishankar Khaterjee S/o Ganeshram Khaterjee Aged About 24 Years R/o-
Village- Amakoni, Police Station- Jaijaipur, District- (Revenue And Civil)
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station- Bilaigarh, District- (Revenue
And Civil)- Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-
Bhatapara, Chhattisgarh.

---- Respondent

For the Applicant : Shri Sumit Jhawar, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.05.2018**

Heard.

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.64 of 2018, registered at Police Station Bilaigarh, District (Revenue & Civil) – Balodabazar - Bhatapara, Chhattisgarh for the offence punishable under Section 306 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 8.2.2018 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. No case is made out against the applicant on the basis of the material placed before the

Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, deceased – Harish Kumari consumed poison on 6.2.2018. On being enquired by the witness, the deceased made a statement before her death that the applicant made a telephone call to her and said that he will abduct and marry her and also threatened her with dire consequences because of which, the deceased was compelled to consume poison which resulted in her death. Hence, this case.

6. On perusing the material present in the case-diary, it appears that the applicant and the deceased had some love affair and the deceased was going to be engaged on the next day of the incident, which was the reason for interaction between the applicant and the deceased on the date of incident. After overall consideration of the case, I am of the considered opinion that the applicant deserves to be released on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi