

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2089 of 2018

Vinit Choubey, S/o. Mahesh Choubey, Aged About 24 Years, R/o-
Deviganj, Ward No. 15, Ambikapur, Police Station and Tahsil Ambikapur,
District- Surguja, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Police Station Gandhi Nagar, Ambikapur,
District- Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. T.K. Jha, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

04/05/2018

1. This is the second 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. 227/2017 registered at Police Station- Gandhi Nagar, Ambikapur District Surguja (C.G.) for the offence punishable under Section 306 of the IPC.
2. As per the prosecution case, deceased Dipika Choubdy committed suicide on 16.06.2017. The marriage between the deceased and the applicant was settled two years ago, but on 12.06. 2017, the applicant levelled charge against the deceased that she is having illicit relations with some other boys and he will not marry her. On 14.06.2017, when mother of the deceased asked the applicant as to why he charged against her daughter then in reply, the applicant repeated that the deceased is having illicit relations with other boys.

3. Learned counsel for the applicant submits that the material witnesses have been examined before the trial Court and they have not supported the version of the prosecution. He further submits that the applicant is in jail since 18.07.2017, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that the material witnesses have been examined before the trial Court and the applicant is in jail since 18.07.2017, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Ram Prasanna Sharma)
Judge

Santosh