

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2746 of 2018**

Surendra Singour, S/o. Shri Jay Singh Urf Mehatt Singour, Aged About 23 Years, R/o.- Village Motipur, Post -Sankra, Thana Amleshwar, District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- District Magistrate, Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Avinash Chand Sahu, Advocate
For State/respondent	: Mrs. M. Asha, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**26/06/2018**

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.12/2018, registered at Police Station – Amleshwar, District – Durg (C.G.), for the offence punishable under Section 306 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 07.02.2018. Charge-sheet has been filed after completion of investigation. No case is made out against this applicant as he and the deceased both had consumed poison on their own free will because of which, the deceased died, whereas, the applicant was saved by medical treatment. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, this applicant and the deceased Sunita Banjare both had love affair and it is alleged that because which they decided to end their life and consumed poisonous substance. On the date of incident both were admitted in the hospital for treatment, but later on Sunita Banjare expired during the course of treatment, whereas, this applicant was saved by the medical treatment.
6. Considered on the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and further taking into consideration the facts and circumstances 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge