

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4597 of 2018**

Vicky Kumar Kurre, S/o. Shri Ravi Kurre, Aged About 22 Years, R/o.- Village Pausara, P.S. Koni, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Its Police Station Incharge Koni, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rajendra Kumar Suryawanshi, Advocate
For Respondent	:	Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/07/2018

1. This is the first 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.185/2018, registered at Police Station- Koni, District – Bilaspur (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 14.06.2018. No case is made out against the applicant on the basis of the material present on record to implicate the applicant for the offence of abetment. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that there is ample evidence on record for prosecution of this applicant, hence, the applicant is not entitled for grant of bail.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. According to the prosecution case, the deceased Seema Suryawanshi and this applicant had a love affair between them and they had also a physical relationship, but this applicant was not ready to marry the deceased. On the date of incident, the deceased committed suicide by immolating herself after pouring petrol over her body. After a thorough enquiry and the registration of FIR during the investigation, it has been discovered that the deceased was consistently in contact with this applicant on mobile before her death. Hence, this case.
6. Considering the submissions made and the contents of the case diary. Considering on all the material present in the case diary against this applicant and looking to the evidence i.e. proposed for his trial in this 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 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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