

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8471 of 2018**

Tanya @ Pramila W/o Rupnarayan Goshwami, Aged about 45 years, R/o Kashturba Nagar, P.S. Civil Line Bilaspur, District Bilaspur (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Bilaspur Officer in charge Police Station- Civil Line Bilaspur, District Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Badruddin Khan, Advocate
For Respondent	:	Ms. M. Asha, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

04/12/2018

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 116/2018 registered at Police Station Civil Line, Bilaspur (C.G.) for the offence punishable under Sections 306 of the IPC.
2. As per prosecution story, on 11/05/2017 Deceased Annu, who was residing in the house of the Applicant as tenant, had committed suicide by setting herself on fire after pouring kerosene on her body. The allegation against the Applicant is that he used to make bad comments to the Deceased regarding her character. Matter was reported and offence has been registered against the Applicant. He has been arrested on 03/07/2018.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. The incident

happened on 11/05/2017 and FIR has been lodged on 05/02/2018. There is inordinate delay in lodging the FIR. He further submits that in the dying declaration of the Deceased, name of the Applicant has not been mentioned. From the evidence collected by the prosecution, prima-facie no case under Section 306 of the IPC is made out against the Applicant. Therefore, he prays that the Applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the incident happened on 11/05/2017 and FIR has been lodged on 05/02/2018, there is inordinate delay in lodging the FIR and further considering that in the dying declaration of the Deceased, name of the Applicant has not been mentioned, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge