

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 174 of 2019

- Parmeshwar Yadav S/o Shri Jaduram Yadav Aged About 30 Years R/o Manikpur, Police Station- Lalpur, District- Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Chouki, Fastarpur, Police Station- Mungeli, District- Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Shri BP Sharma and Shri ML Sakat, Advocates.
For Respondent/State : Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/01/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 147/2018, registered at Police Chowki Fastarpur, District Mungeli (C.G.) for the offence punishable under Section 354 & 306 of the IPC and Section 3(2)5 of the SC/ST (Prevention of Atrocities) Act.
2. As per the prosecution story, the applicant is a Tailor, earlier the deceased was going to the applicant's shop for learning the work of tailoring, at that time a love relationship was developed between the applicant and the deceased. On 24.09.2018, the applicant refused to marry with the deceased, due to which on 22.10.2018, she consumed some poisonous substance to commit suicide, during course of treatment she has died on 02.11.2018. On the basis of above, offence has been registered against the present applicant and he has been taken in custody on 30.11.2018.

3. Learned counsel appearing on behalf of the applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that there is nothing on record on the basis of which prima facie any offence can be made out against the applicant, he is in custody since 30-11-2018 and trial will take some time, therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 30-11-2018 and trial will likely to take some time, without further commenting on merits 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 local solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge