

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 429 of 2019

- Ramdas Sooryavanshi S/o Faguram Sooryavanshi Aged About 32 Years R/o Village Kapoortalpara, Birkona, Police Station Koni, District (Revenue And Civil) Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Koni, District (Revenue And Civil) Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri Sumit Jhawar, Advocate.
For Respondent/State	: Shri DP Singh, Dy. AG.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/02/2019

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. 135/2018, registered at Police Station Koni District Bilaspur (C.G.) for the offence punishable under Section 328 & 307 of the IPC.
2. As per the prosecution story, allegation against the present applicant is that on 11.05.2018 the applicant himself consumed some poisonous substance and also given the same to his two minor children namely Kalpana and Aashu with intention to kill them. FIR has been lodged by father-in-law of the applicant namely Ramlal. On the basis of said, offence has been registered. The applicant is in custody since 18.05.2018.
3. Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that seven witnesses have already been

examined before the Trial Court and none of the witnesses have supported the case of the prosecution, complainant Ramlal and children of the present applicant namely Kalpana and Sahil have also been examined before the Trial Court and they also not supported the case of the prosecution and turned hostile. The applicant is in custody since 18.05.2018 and trial will take some time, therefore, the applicant 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 fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that the complainant Ramlal and children of the present applicant namely Kalpana and Sahil have already been examined before the Trial Court and they have not supported the case of the prosecution and turned hostile. The applicant is in custody, since 18.05.2018 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 solvent 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