

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1594 of 2019

- Ajay Prakash Chourasia S/o Amarnath Chourasia Aged About 28 Years R/o Choukiya (Khash), Police Station - Gajipur, District - Gajipur Uttar Pradesh., At Present Address Heeragiri Dafai, Haldibadi, Chirmiri, Police Station - Chirmiri, District - Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Dongargarh, District - Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. BP Singh, Advocate.
For Respondent/State	: Mr. VK Agrawal, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/04/2019

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. 487/2018, registered at Police Station Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Section 306 of the IPC.
2. As per prosecution story, on 19.10.2018, deceased Poonam committed suicide by hanging herself in the house. Thereafter, the matter was reported by her uncle namely Devendra Ambade. During course of investigation police party seized the mobile phone and suicidal note of the deceased. As per prosecution story, there was a friendship between the deceased and the applicant, thereafter, the applicant assured the deceased for marriage with her but, he did not marry with the deceased and get married with another girl, due to that the deceased committed suicide. The applicant is in custody since 28.12.2018.

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 from the entire material available on record prima facie there is no offence under Section 306 of the IPC can be made out against him. He is in custody since 28.12.2018, charge-sheet has already been filed and trial is likely to 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 facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 28-12-2018, charge-sheet has already been filed and trial is 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