

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3703 of 2019

- Diamond Sahu, S/o Ram Kumar Sahu, Aged About 19 Years, R/o Village- Bakma, Police-Station & Tahsil- Bagbahara, District- Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police-Station- Bagbahara, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant : Mr. Raghvendra Pradhan, Advocates.

For Respondent/State : Mr. Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

29/07/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.130/2019 registered at Police Station–Bagbahara, District–Mahasamund(C.G.) for the offence punishable under Section 306 of the Indian Penal Code & Section 03(2)(V) of Scheduled Caste/Scheduled Tribe(Prevention of Atrocities) Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 20.5.2019. No case of abetment to commit suicide is made out against the applicant on the basis of the material present in the charge-sheet, hence, it is prayed that he may be enlarged on regular

bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that soon before the death of the deceased she had quarreled with this applicant, therefore, it cannot be said that there had been no interaction of the applicant with the deceased before her death, hence, the application be rejected.
4. Heard both the parties and perused the case diary.
5. Deceased-Aanchal Bharadwaj committed suicide on 1.8.2018 by consuming some poisonous substance. During morgue inquiry, it was revealed, that the applicant had allured her with promise to marry her and, thereafter, the applicant has refused to marry with her for the reason that she belongs to lesser caste because of which she committed suicide. Hence, this case.
6. After perusing all the evidence present in the case diary, looking to the nature of allegation against this applicant and also for the reason that the case is now before the trial Court pending for trial and the investigation is almost complete, for these reasons, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on regular 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge