

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3700 of 2019**

Hare Singh Dhurve @ Haresh @ Dau Singh, S/o. Goverdhan Singh, Aged About 26 Years, Caste -Gond, R/o. Village Nawagaon, Police Station Gandai, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Police Station -Gandai, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. Abhisek Sharma, Advocate
For Respondent/State	: Mr. Aaditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**19/07/2019**

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.278/2018, registered at Police Station – Gandai, District – Rajnandgaon (C.G.) for the offence punishable under Section 306, 201 of the Indian Penal Code (wrongly mentioned as 302 of I.P.C.).
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 28.10.2018. Some of the witnesses have been examined before the Court below and none of them have made any statement against this applicant. Therefore, it is prayed that the applicant be granted regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted

that there is evidence that because of thrashing given by this applicant, the deceased has committed suicide. Therefore, the bail application be rejected.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, the deceased Bimla Bai had consumed liquor because of which, it is alleged that this applicant had beaten her. Subsequent to that after sometime, the deceased committed suicide by hanging herself.
6. Considered on the submissions made and the contents of the case diary. After considering on all the facts and circumstances of the case and the evidence of the witnesses that have been recorded so far in the trial, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge