

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3954 of 2019

- Rajesh Netam, S/o Devnarayan Netam, Aged About 23 Years, R/o Fudhardhab, Police-Station-Keregaon, District-Dhamtari, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through: Station House Officer, Police of Police Station Keregaon, District-Dhamtari, Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/07/2019

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.16/2019 registered at Police Station–Keregaon, District–Dhamtari(C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. According to the prosecution case, there had been an affair between applicant and deceased Renuka Netam. Deceased committed suicide in the night of 3.11.2018 and morgue intimation was recorded on 4.11.2018. It was after passing of more than 5 months, the sister of the deceased has made an statement under Section 161 of CrPC making allegations

against the applicant which is totally false and made up, on the basis of which the offence has been registered against applicant, 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.
4. Heard both the parties and perused the case diary.
5. Deceased Renuka Netam committed suicide on 3.11.2018 by hanging herself. The morgue intimation was recorded and morgue inquiry was continued for some time. It was after passing about 5 months, FIR has been lodged against this applicant.
6. After considering the facts and circumstances of this case, 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