

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1192 of 2019**

- Khelsay S/o Shri Moharsay Aged About 28 Years Caste- Cherwa, R/o Bhakura, Police Station And Post- Odgi, Tahsil- Odgi, District- Surajpur, Chhattisgarh. Presently R/o Village- Narmadapur, Police Station- Kamleshwapur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kamleshwarpur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Amarnath Pandey, Advocate.
For Respondent.	:	Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

19/08/2019

1. This is the first application filed by the applicant under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who is apprehending his arrest in connection with Crime No. 30/2019, registered at Police Station Kamleshwarpur, District Surguja (CG) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution is that father of the prosecutrix lodged a report that his daughter and the applicant were in love affairs and she consumed poison on account of refusal of marriage by the applicant.
3. Learned counsel for the applicant submits that to falsely implicate the applicant father of the prosecutrix came with a concocted story. He submits that the applicant is innocent and he has been falsely

implicated in the case. He prays for releasing the applicant on anticipatory bail.

4. Counsel for the State, however, opposes the application for anticipatory bail.
5. I have heard learned counsel both the parties and perused the case-diary.
6. Considering the totality of the facts, in particular, the nature of allegations against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application filed under Section 438 Cr.P.C. is allowed.
7. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him. He shall abide by all the terms and conditions laid down in Section 438 (2) of the Code of Criminal Procedure.
8. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE