

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4716 of 2019

- Krishna Kumar Nirala S/o Mohan Lal Nirala Aged About 27 Years R/o Odgan, Police Station Bhatgaon, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sarsiva, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

 For Applicant : Shri Raghvendra Pradhan, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

05.11.2019

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No.177/2019 registered at Police Station Sarsiva, District Balodabazar-Bhatapara(CG) for the offence punishable under Section 305 of the IPC.
2. As per the case of prosecution on 5.4.2019 when the entire family was sleeping, mother of the girl woke up in night and found that her daughter Rukhmani Bharti was not present in the house. On 7.4.2019, dead body of Rukhnami was found in the water near Mahanadi Jatai Madir. A report was lodged and it was investigated

that the present applicant was alluring and promise to marry and pressurizing the deceased not to marry other person, therefore, she committed suicide.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the present case. He further submits that the prosecutrix and the applicant were in love affair and she herself had left the house in the night and committed suicide. He submits that the applicant is in custody since 5.6.2019 and trial will likely to take some time, therefore, the applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and charge sheet has been filed, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the trial Court for his appearance before

the said Court as and when directed till the disposal of the trial.

9. Certified copy, as per rules.

Sd/

(Rajani Dubey)
JUDGE

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