

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5267 of 2019**

- Dorilal Nishad S/o Kulkitram Nishad, aged about 30 years, R/o 2 Number Banki, P.S. Bankimongra, Tahsil Katghora, District Korba (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, P.S. Bankimongra, District Korba (C.G.)

---- Respondent

For Applicant	:	Shri Lalit Jangde, Advocate
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/10/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.103/2019, registered at Police Station - Bankimongra, District Korba (C.G.) for the offence punishable under Sections 306 IPC.
2. The prosecution story, in brief, is that there was love affair between the applicant and deceased, they entered into physical relation and when the applicant refused to marry her, she took the extreme step of suicide. On the basis of said report, offence has been registered. Present applicant has been taken into custody on 23.07.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that there is delay of about one month in lodging the FIR. He also submits that the applicant is in custody since 23.07.2019, charge sheet has not been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 23.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge