

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5661 of 2019**

- Atishay Jain S/o Shri Amit Kumar Jain Aged About 24 Years, Occupation Private Service, Address - Kali Nagar, Pandri, Police Station Pandri, Tashil And District Raipur, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Telibandha, District Raipur, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Amit Kumar, Adv.  |
| For Respondent/State | : Mr. Anurag Verma, PL. |
| For Objector         | : Mr. Atanu Ghosh, Adv. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****11.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 346/2019 registered at Police Station Telibandha, District-Raipur (C.G.) for the offence punishable under Sections 306 of IPC.
2. The prosecution story, in brief is that, on 29.06.2019 deceased's mother Rani Gupta was lodged written report that between the deceased and applicant have love affair, and the applicant is already married. The deceased namely Mohini Gupta pressurized to applicant to marry with her but applicant already married, thereafter on 16.05.2019 at about 1:00 pm. in Magneto Mall, Raipur the applicant denied to marry with deceased and due to that deceased consumed poison and committed suicide. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question.

He further submits that the applicant has never induced the deceased to commit suicide, she herself committed suicide due to refusal from marriage. The applicant is in jail since 29.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State and Objector oppose the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that there are a love affairs between both the parties, the applicant is in jail since 29.06.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-  
(Rajani Dubey)  
Judge**