

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5771 of 2019**

Firdous, S/o Riyayat Hussain, aged about 23 years, R/o Ward No.14, Ramanujganj, District Balrampur Ramanujganj (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Ramanujganj, District Balrampur Ramanujganj (CG).

---- Non-applicant

For Applicant : Mr. Aditya Bhardwaj, Advocate
For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27.09.2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.12/2019 registered in Police Station Ramanujganj, District Balrampur Ramanujganj for the offence punishable under Section 306 of Indian Penal Code and Section 67(A) of Information of Technology Act.
3. The second bail application of the applicant was dismissed as withdrawn by this Court vide order dated 08.05.2019 passed in M.Cr.C. No.2783/2019.
4. Case of the prosecution, in brief, is that deceased was 23 years of age. She was resident of Ramanujganj. The applicant was mentally harassing her by sending obscene photographs and messages, as a result of which, she committed suicide by hanging on 21.01.2019.
5. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the present

case. He further submitted that in the case in hand Section 306 of IPC does not attract. The applicant is in jail since 23.01.2019.

6. On the other hand, counsel for the State opposed the bail application.

7. Prima facie at this stage it cannot be said that Section 306 of IPC does not attract in the case in hand.

8. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record against the applicant, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, this Court is not inclined to release the applicant on bail. Consequently, his second bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of case as soon as possible from the date of receipt of certified copy of this order.

9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-