

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6957 of 2019**

- Durgesh Sahu S/o Shri Janturam Sahu Aged About 22 Years R/o Village - Ponsari, Tah. And P.S. Bilha, Distt. - Bilaspur, Permanent Address Village - Torala, Ps Sargaon, Dist. Mungeli Chhattisgarh...(In Jail), District : Mungeli, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station - Bilha, Distt. Bilaspur Chhattisgarh....(Non Applicant), District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:Shri M.K. Sinha, Advocate
For Respondent	:Shri Sameer Sharma, Dy.Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.201/2019, registered at Police Station - Bilha, District Bilaspur(C.G.) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution is that the applicant has mentally harassed the prosecutrix to marry him due to which she committed suicide on 28.6.2018.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that report has been lodged delayed after one year of the incident i.e. on 28.8.2019 and friend of the

prosecutrix/deceased has not stated anything against the applicant in her statement under Section 161 Cr.P.C. He further submits that as the applicant is in custody since 29.8.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and there is delay in lodging the FIR, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge