

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7005 of 2019

- Hemkumar Tandan S/o Shri Takhat Ram Tandan Aged About 22 Years R/o Village Kampa, Thana Tumgaon, Tahsil And District Mahasamund, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Tumgaon, Civil And Revenue District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumit Shrivastava, Advocate
For Respondent /State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/12/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.179/2019 registered at police station Tumgaon, district Mahasamund (CG) for the offence punishable under Section 306 IPC.

Case of the prosecution in brief is that report was lodged by the father of the deceased alleging that the applicant had refused to marry her daughter and therefore she committed suicide by setting herself ablaze.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the basic ingredients of the said Section are missing. He submits that the applicant is in jail since 10.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge