

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 175 of 2020**

- Santosh Ram Chouhan S/o Lohar Ram Aged About 24 Years R/o Pandripani Police Station Pharsabakra District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Charcha District Koriya, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sakti Raj Sinha, Advocate.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.03.2020**

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. 183/2019 registered at Police Station - Charcha, District Koriya (C.G.) for the offence punishable under Section 306 of IPC.
2. As per the prosecution case, the present applicant used to talk with the victim/deceased over the phone regularly and harass her. The parents of the deceased restrained the applicant but he continued, due to which, she committed suicide. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further added in his submission that any unknown person used to talk with the deceased in the name of present

applicant and the SIM number, which has been used for calling, is registered in the name of other person. He next submits that the applicant is in jail since 11.11.2019, charge-sheet has been filed, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

4. Per contra, State counsel opposes 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, as the applicant is in jail since 11.11.2019 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 surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

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

Vijay Sahu