

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 349 of 2020

- Kamlesh Kumar S/o Saradhu Ram Aged About 28 Years Caste Gond, R/o Village Lamti, Police Station Mohla, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through The Police Station Mohla, Civil And Revenue District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Shri Punit Ruparel, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/02/2020

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.126/2019 registered at police station Mohla, district Rajnandgaon (CG) for the offence punishable under Section 304-B IPC.

Case of the prosecution in brief is that deceased Khemlata Usendi, wife of the applicant committed suicide on 19.09.2019 by consuming poison. It is alleged that the marriage of applicant and deceased was solemnized in the year 2018 and the applicant used to harass her for demand of motorcycle.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the applicant is in jail since 03.10.2019; charge sheet has been filed; the offence is triable by the Magistrate 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