

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 294 of 2020**

- Kamal Rajak S/o Dukalu Rajak Aged About 28 Years R/o Village Muteda Navagaon, Police Station And Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

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For Applicant. : Mr. C.K. Kesharwani, Advocate.  
 For Respondent/State : Ms. Reena Singh, PL

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****28.02.2020**

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. 442/2019 registered at Police Station – Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Section 306 of IPC.
2. As per the prosecution case, the present applicant is husband of the deceased and the allegation against the present applicant is that, in the stage of intoxication, he used to harass and commit mar-peat with his wife/deceased, due to that, 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 the applicant and deceased had a love marriage a year ago and they were living happily with each other. He next submits that the applicant is in jail since 29.11.2019, 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 29.11.2019 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