

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2313 of 2020**

Saiyad Mujaffar Ali Alias Chand, S/o Saiyad Akhtar Ali, Aged about 32 years, R/o Model Town, Nehru Nagar, PS Supela, Tahsil and District Durg (CG)

---- Applicant

Versus

- State of Chhattisgarh, Through – District Magistrate- Durg, District Durg (CG)

---- Respondent

For Applicant	: Mr. B.P. Singh, Advocate.
For Respondent/State	: Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.06.2020**

- The accused/applicant has moved his 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. 87/2020 registered at Police Station – Jamul, District Durg (C.G.) for the offence punishable under Sections 306, 467, 471 and 469 of IPC.
- According to the prosecution story, complainant Bheemsen Rai has lodged report on 18.08.2019 that his wife has committed suicide by hanging herself with the rope in the night at 10:30 pm and the Merg no consistent of 54/2019, and it was found that she died because of hanging herself. After the merg investigation, it was found that the applicant was in contact of the deceased and used to talk to her on phone calls and even the applicant used to go to the house of the said deceased and harassed her, and due to the said reason the wife of the applicant Shahin Bano made some issue with the deceased, and even after this issue the deceased has left her place of living number of times but the applicant had tried to contact with the deceased and due to said reason, she has committed suicide.
- Learned counsel for the applicant submits that the applicant is innocent person and he has been falsely implicated in the aforesaid case. He next contended that the applicant is in jail since 25.02.2020,

therefore, he may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.
- It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge