

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2975 of 2020**

- Aarish Ali S/o Shri Amin Ali Aged About 20 Years R/o Shitlapara Kanker, District North Baster Kanker, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer Police Station Kanker, District- North Baster Kanker, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate.
For Respondent/State : Mr. Gagan Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.06.2020**

- 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. 396/2019 registered at Police Station - Kanker, District- North Baster Kanker (C.G.) for the offence punishable under Section 306 of IPC.
- According to the prosecution story, on 30.06.2019 the complainant has lodged the merg intimation report with the averment that her daughter has committed suicide so the merg intimation inquiry was conducted and according to the statement on 01.11.2019 F.I.R. has been registered against the applicant as the father of the deceased has produce some mobile clipping in which it is mentioned that *"KISI KE LIYE KOI NAHI MARTA HE TO TUM KYA GHANTA MAROGI MERE LIYE"* and on the basis of said averment an offence has been registered applicant was arrested for the alleged commission of offence.
- Learned counsel for the applicant submits that the applicant is innocent and he was not involved in the alleged offence but due to some doubt police has arrested the applicant in the alleged commission of offence. He next contended that the

applicant is in jail since 19.05.2020, 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 his 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), they 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 they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-

(Rajani Dubey)
Judge