

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3073 of 2020**

- Santosh Verma S/o Nand Kumar Verma Aged About 27 Years R/o Zone 3 street No8, Gandhi Nagar Bhilai District Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer Khursipaar, Bhilai District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anurag Jha, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/06/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 45/2020 registered at Police Station Khursipaar, Bhilai District-Durg (C.G.) for the offence punishable under Section 306 of the IPC.
4. The prosecution story in brief is that, deceased Kumari Rajani had love affair with the applicant, deceased wanted to marry with the applicant and time to time deceased gave money to the applicant. It is alleged that on account of marriage the applicant tortured physically as well as mentally to the deceased, due to this, deceased committed suicide in front of train. Based on this offence has been registered against the present applicant.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that there is no evidence against the applicant that he is provoked the deceased to commit suicide. The death of the deceased was due to train accident but the police has given the colours. He next submits that the applicant is in jail since 16.01.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature, the applicant provoked to the deceased due to this deceased committed suicide, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the deceased and the applicant had love affair and the applicant is in jail since 16.01.2020, 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.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.
10. It is made clear that if the applicant has already been released on bail pursuant to the bail bond 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 bond afresh and the bail bond already furnished shall be deemed to be the bail bond furnished in compliance of the order of this Court, but if he has not furnished the bail bond earlier, then he will be required to furnish bail bond within four weeks from today.

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

H.L. Sabu