

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3433 of 2020**

- Bhupendra Kumar Sahu, S/o Shri Baldu Sahu, aged about 24 years, R/o Village Ghoghra, P.S. Pitara, District Mahasamund (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through the Station House Officer, P.S. Purani Basti, Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. M.N. Thakur, Advocate.
For Respondent/State	:	Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.07.2020**

1. Heard on admission.
2. Admit.
3. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 401/2019 registered at Police Station : Purani Basti, District Raipur (C.G.) for the offence punishable under Section 306 of the IPC.
4. As per the prosecution case, the allegation against the present applicant is that he used to threatened the deceased in the name of giving her divorce and also harassed her in the name of less dowry, due to that she committed suicide. Based on that, offence has been registered against the applicant and the applicant was arrested.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. Counsel for the applicant further submitted that after marriage, on becoming aware that his wife is mentally unstable, he wanted to give her divorce but this fact does not prove that he abetted her for suicide. Furthermore, at the time of incident the applicant was in his office, therefore no offence is made out against the applicant. He next added in his submission that the applicant is in jail since 04.02.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
6. On the other hand, State counsel opposes the bail application.
7. I have heard learned counsel for the parties and perused the record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as the applicant is in jail since 04.02.2020 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 said 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 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