

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3728 of 2020**

- Rajeev @ Raju Singh S/o. Ramautar, aged about 25 years, R/o Village Bhagwanpur Kenarpara, Police Station Chalgali, District Balrampur-Ramanujganj (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chalgali, District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicant. : Mr. Arun Kumar Shukla, Advocate.
 For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

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. 11/2020 registered at Police Station : Police Station Chalgali, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 493, 494, 294, 506 & 323 of the IPC.
4. As per the prosecution case, the present applicant was husband of the victim, who had left the house of the applicant about 10 years ago. The allegation against the present applicant is that when the victim came to meet her son in the house of the applicant, applicant started

committing mar-peet with her. 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. He further submits that after leaving the house of the applicant, victim had remarried with another person and now she again wants to live with the present applicant but the applicant does not want to keep her as his wife, on that she made a false report against the applicant. He next contended that as the applicant is in jail since 06.02.2020 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 strongly opposes the bail application and submits that the victim was not legally married wife of the applicant. The applicant had promised the victim to marry her and, on assurance of marriage, she began to live with the applicant. After passage of time, whenever she asked to get married, she fell victim of cruelty and mar-peet by the applicant, due to that, she had left the house of the applicant.
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, also considering that all the offences is triable by Judicial Magistrate First Class, as the applicant is in jail since 06.02.2020 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.

Sd/-
(Rajani Dubey)
Judge