

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4805 of 2020**

- Pintu Dewangan @ Pintu Ram Dewangan, S/o Shri Sita Ram Dewangan, Aged about 23 years, R/o Village Bhothali, Thana & Tahsil Kurud, District Dhamtari (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, Thana Kurud, District Dhamtari (C.G.)

---- Respondent

For Applicant	:	Mr. Mahesh Mishra, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02/09/2020**

1. 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. 227/2020 registered at Police Station- Kurud, District Dhamtari (C.G.) for the offence punishable under Section 306 of the IPC, 1860.
2. The prosecution story in brief is that, deceased Ahilaya Bai and the present applicant were husband and wife. As per the case of the prosecution, it is alleged that deceased Ahilaya Bai has committed suicide by hanging herself because her husband i.e the present applicant has suspected his character and harassed her mentally and physically.
3. 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 on record to suggest the involvement of the present applicant in the crime in any manner. He next submits that the applicant is in jail since 17.04.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on

bail.

4. 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; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 applicant is in jail since 17.04.2020, 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.
7. 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.

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

Vasant