

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4665 of 2020

- Ajay Babriya, S/o. Arjun Prasad, Aged about 30 years, R/o. Koriya Colliery, Tahsil Khadgawan District Koriya CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Outpost Koriya, Police of Police Station Chirmiri, District Koriya CG

---- Respondent

For Applicant : Shri Anil Gulati, Advocate
For Respondent /State : Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/08/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 232/2020 registered at police station Out post Koriya, PS Chirmiri, District Koriya (CG) for the offence punishable under Sections 306 and 376 IPC.

As per prosecution case, it is alleged that the applicant developed physical relation with the deceased on the pretext of marriage and she left with the applicant of her own. It is further case of prosecution that when the applicant refused to marry her, she committed suicide leaving behind a suicidal note.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 15.06.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be

released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-

(Rajani Dubey)

Judge