

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4718 of 2020**

- Naresh Kumar Patel, S/o Shayamlal Patel, Aged about 27 years, By Caste Marar, R/o Salehetola, Tahsil Charama, District Uttar Baster Kanker (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – PS- Charama, District Uttar Baster Kanker (C.G.)

---- Respondent

For Applicant : Mr. Paraga Kotecha, Advocate.
For Respondent/State : Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/09/2020**

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. 125/2020 registered at Police Station- Charama, District- Kanker(C.G.) for the offence punishable under Section 306 of the Indian Penal Code, 1860.
2. The prosecution story in brief is that, it was an allegation against the present applicant always used to doubt on the character of his wife namely Devrupa Patel and because of that she committed suicide.
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 the there is no direct evidence against the present applicant and only on the basis of suspicion, the applicant had been involved int the present case. He next submits that the applicant is in jail since 01.07.2020, 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 01.07.2020, 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 present applicant on bail. Accordingly, the bail 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 them by the said Court.

Certified copy, as per rules.

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

Vasant