

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5338 of 2020**

- Bhajan Lal S/o Ramesh Patel aged about 30 years, R/o Village Kurda Police Station - Champa, District - Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - The Police Station-Champa, District-Janjgir-Champa, Chhattisgarh, Through : District Magistrate-Janjgir, District-Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sumit Singh, Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/09/2020**

1. The matter is heard through video conferencing.
2. 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. 190/2020 registered at Police Station Champa, District-Janjgir-Champa (C.G.) for the offence punishable under Section 306 of the IPC.
3. The prosecution story in brief, is that the applicant being the husband while questioning the character of his deceased/wife harassed her by committing *mar-peet* with her because of this deceased committed suicide. Based on this offence has been registered against the present applicant.
4. 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 ingredients of Section 107 of IPC hence the offence under Section 306 is not made out. He also submits that the applicant is in jail since 18.05.2020, there is no likelihood of his case being decided in

near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and submits that the applicant did a very serious offence; therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 18.05.2020, 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.
8. 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**