

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6699 of 2020**

- Deepak Dahariya S/o Gopal Dahariya Aged About 20 Years R/o Village Barpelatola, Police Station And Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh. **---- Applicant**

Versus

- State Of Chhattisgarh Through District Magistrate District Rajnandgaon, Chhattisgarh. **---- Respondent**

For Applicant	:	Shri Abhishek Sharma, Advocate
For State	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/11/2020**

1. Heard on application for grant of bail.
2. The applicant has been arrested on 05.09.2020, on the allegation of having committed offence under Section 306 of I.P.C. He moved this application for grant of bail in connection with Crime No. 322/2020 registered at Police Station- Khairagarh, District- Rajnandgaon (C.G.).
3. Prosecution case is that the deceased Durga committed suicide by poisoning. The allegation against the applicant is that the applicant and the deceased having an affair and the applicant told the deceased that he is leaving the deceased and going to another city, the deceased out of depression, of unsuccessful love story committed suicide and thus this amounted to abetment by the applicant.
4. Learned counsel for the applicant would argue that even the statements of all the prosecution witnesses have recorded under Section 161 of Cr.P.C. and even the all the prosecution witnessess have stated that deceased committed suicide because of unsuccessful love story and the applicant going to another place. Merely because the applicant leaving the place and going to another city, does not amount to abetment to commit suicide, therefore, at this stage,

he may be granted bail.

5. On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that the applicant and the deceased were having a love affair and when the applicant tortured the deceased by stating that he is leaving her and going to another city, the deceased committed suicide, therefore, case is made out.
6. I have heard learned counsel for the parties. Taking into consideration the nature of allegation and that the applicant had told the deceased that he is leaving the place and going to another city is the bases to allege abetment to suicide if the applicant leaves the deceased and moves elsewhere, therefore, at this stage, I am inclined to grant bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail, on his furnishing a personal bond in the sum of Rs.25,000/- with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicant shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge