

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7779 of 2020**

- Firoj Sahu S/o Baburam Sahu Aged About 23 Years R/o Village Keshli, Mahamaya Para, Police Station Dashrathpur, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gudiari, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Awadh Tripathi, Advocate.
For State	:	Mr. Dinesh Tiwari, Deputy Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya**Order On Board****24-11-2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since in connection with Crime No 170 of 2020 registered at Police Station Gudiari, District Raipur (CG) for the offence punishable under Section 306 of IPC.
2. The allegation against the applicant is that the applicant on the pretext of marriage committed sexual intercourse with deceased and when she demanded him to marry her, the applicant denied due to which she committed suicide by consuming poison.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. Both the applicant and deceased were in love with each other and willingly developed sexual relation. He

further submits that the applicant never denied to marry the deceased but due to sudden loss of his job and lockdown he had no choice except to move back to his parental home. He would further submit that there is no material evidence against the applicant to implicate him in commission of aforesaid offence and only on the basis of suspicion, he has been arrested and he is in custody since 3-10-2020 and trial is likely to take some time for its disposal, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the respondent/State opposes the bail application.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and further considering the detention period of the applicant, charge sheet is filed, conclusion of trial may take some time and without further comments on the merits of the case, the application is allowed. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two solvent sureties for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial.

Sd/-

(Gautam Chourdiya)
Judge

Raju