

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8331 of 2019**

Chakrawarti Mahilang, aged about 29 years, S/o Shri Jeevan Das Mahilang @ Dr. Mannu, R/o Vill.- Khouvana, Ward No. 16, Out Post – Silyayari, P.S. - Dharsiva, Distt. Raipur (C.G.)
(In jail)

---- Applicant**Versus**

State of Chhattisgarh, through : P.S. - Dharsiva, Distt. Raipur (C.G.)

----Non-applicant

For Applicant	: Mr. Rakesh Thakur, Advocate.
For Non-applicant/State	: Ms. Akshra Amit, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****06/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 414/2019 registered at police Station Dharsiva, Distt. Raipur (C.G.) for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that one Sukhram Chaturvedi, father of the deceased Ganga Mahilange, lodged FIR alleging that the present applicant was husband of her daughter – Ganga Mahilange and since his daughter blessed with a female child, the applicant and his parents used to harass her and beat her, and out of humiliation and frustration, she committed suicide and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that there is delay of 10 months in lodging the First Information Report as the incident had occurred on 22.10.2018 whereas FIR has been

lodged 22.08.2019 without any satisfactory explanation and the applicant has been arrested on 25.08.2019. He further submit that similarly situated co-accused persons namely Jeevan Das Mahilang & Smt. Raj Bai Mahilang have already been granted bail by this Court vide order dated 03.12.2019 in M.Cr.C. No. 6604 of 2019, and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused persons, who have already been granted bail by this Court in M.Cr.C. No. 6604/2019

(5) Taking into consideration the facts & circumstances of the case; extent of delay in lodging the FIR and particularly the fact that similarly situated co-accused has already been granted bail by this Court vide order dated 03.12.2019 passed in M.Cr.C. No. 6604 of 2019; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one 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 till disposal of the trial.

Certified copy, as per rules.

Sd
(Rajani Dubey)
Judge

D/-

