

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8369 of 2019**

- Sukhdev, S/o Dukalu Baiga, Aged About 28 Years, R/o Village Komo, Police Station- Taregaon Jungle, Tahsil- Bodla, District- Kabirdham Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station- Taregaon Jungle, District- Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	: Mr. F.S. Khare, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.02.2020**

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. 17/2019 registered at Police Station- Taregaon Jungle, District- Kabirdham, (C.G.) for the offence punishable under Section 306/34 of I.P.C.
2. The prosecution story, in brief is that, on 26.05.2018, the deceased Basanti Bai died by consuming poison. The allegation is that her husband was committing marpeet and pressurizing her with an intention to throw out the deceased from the house, so that her husband Sukhdev may get marry with another women. Thereafter, offence has been registered against the present applicant.
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 that other co-accused has been granted bail in MCRC No. 6044/2019 vide order dated 07.11.2019. The applicant is in jail since 19.06.2019, 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.
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, and further considering the facts that other co-accused has been granted bail in MCRC No. 6044/2019 vide order dated 07.11.2019. The applicant is in jail since 19.06.2019 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.
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 him by the said Court.

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