

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1648 of 2021**

Chandrabhushan Sahu, S/o Sethuram Sahu, Aged about 45 years, R/o Village Naktidih, Thana-Bilaigarh, District – Balodabazar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station – Bhatgaon, District – Balodabazar- Bhatapara (C.G.)

----Non-applicant

For Applicant	:	Ms. Supriya Upasane, Advocate
For Non-applicant	:	Mr. H.S. Ahluwalia, Dy. Advocate General.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board**

31.05.2021

- (1) Proceedings of the matter have been taken up through Video Conferencing.
- (2) The accused/applicant has moved 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. 247/20 registered at police Station Bhatgaon, Distt. - Balodabazar - Bhatapara for the offence punishable under Sections 341, 323, 324, 294, 506-B, 498-A of the Indian Penal Code.
- (3) Case of the prosecution, in nutshell, is that marriage of complainant Dutika Sahu was solemnized with the applicant as per custom prevalent in their caste and they were residing together as husband & wife and they were also blessed with two children. It is case of the prosecution that since after the marriage present

applicant/husband started harassing the complainant by committing mar-peat with her and treated her with cruelty, therefore, they were living separately. It is alleged that when on 19.12.2020 complainant was going to buy rice with her sister, applicant stopped her near tharakpur bridge and forced her to come with him and when she (complainant) refused to do so, applicant started beating and harassing her and her sister – Roopkunwar and thereby committed the aforesaid offences.

(4) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as the complainant has lodged a false complaint against the applicant just to harass him. He submits that the complainant left the company of the applicant without any valid and sufficient reasons and the applicant made all the efforts to bring her back but she did not ready to come with the applicant. He further submits that applicant is in detention since 21.12.2020 and matter is under investigation and the trial is likely to take time for its disposal due to covid-19 pandemic and, therefore, the applicant is entitled to be released on bail.

(5) On the other hand, Counsel for the State opposes the bail application.

(6) Considering the totality of the facts and circumstances of the case, particularly the fact that the applicant is in detention since 21.12.2020 and the trial is likely to take time for its final disposal due to Covid-19 situation; without further commenting on merits; 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 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.

(8) In view of above, I. A. No. 2, application for urgent hearing & I.A. No. 1, application for hearing the case during summer vacation stand disposed of.

Certified copy, as per rules.

Sd/-

(N.K. Chandravanshi)
V. Judge

Dubey/-

