

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1771 of 2021**

- Devendra Kumar Shrivastava, S/o Sankatha Prasad, Aged About 36 Years, R/o Kodgar, Amapara, Police Station Pasan, District Korba Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Of Police Station Khadgawa, District Koriya Chhattisgarh.

---- Respondent

For Applicant	: Mr. Anil Gulati, Adv.
For Respondent/State	: Mr. Devendra Pratap Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.05.2021**

1. The matter is heard through video conferencing.
2. 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. 27/2021 registered at Police Station- Khadgawa, District Koriya (C.G.) for the offence punishable under Section 306 of IPC.
3. The prosecution story, in brief is that, deceased was the head of Durga Swa-Sahayata Samuh, applicant used to go to the house of the deceased to obtain a loan from the bank. Thereafter, a loan of total sum of Rs. 1,50,000/- was given to the applicant and thereafter applicant did not paid the said amount, due to which on 07.01.2021, deceased committed suicide by hanging herself. Thereafter, offence has been registered against the present applicant.
4. 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 there is no abatement on the

part of the applicant to force the deceased to commit suicide and charge-sheet has been filed. He next added that the applicant is in jail since 03.02.2021 there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the applicant is of serious in nature, and, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that charge-sheet has been filed and the applicant is in jail since 03.02.2021, 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.
8. 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)
Vacation Judge**

Ruchi