

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2491 of 2021

Anil Sidar, S/o. Sitaram Sidar, Aged About 24 Years, Occupation- Agriculture, R/o. Village Tausir, P.S. & Tahsil Baramkela, District - Raigarh (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, P.S. Baramkela, District - Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate

For Respondent : Mr. Pawan Kesharwani, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

26.07.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.03/2021 registered at Police Station- Baramkela, District Raigarh, for the offence punishable under Section 306, 201, 34 of Indian Penal Code.
2. As per the prosecution case, one Karishma committed suicide by hanging and the applicant was in relation with the girl and after physical relation, he refused to marry; therefore, she committed suicide. After death since the dead body was found in the premises of the applicant, the applicant along with his uncle tried to destroy the evidence.
3. Learned counsel for the applicant would submit that the FIR was lodged after three months of the incident and only on presumption the applicant has been arrested and there is no abetment caused by the applicant. He further submits that the charge sheet has been

filed and the applicant is in jail since 08.01.2021; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. He submits that the applicant might have been committed murder and thereafter tried to destroy the evidence.
5. Considering the submission and the fact that the charge sheet has been filed under Section 306 of I.P.C., at this stage, this Court cannot go into the fact whether murder has been committed as per the submission of the State counsel. Considering the statement of Poonam, mother of the deceased and the background of the facts, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge