

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3005 of 2021**

- Arvind @ Babloo, S/o Nirmal Singh, aged about 21 Years, Caste Gond, R/o Village Jamakachhar, Chowki-Kormi, Police Station Passan, District Korba, Chhattisgarh.

----Applicant

**Versus**

- State of Chhattisgarh, Through the Station House Officer, Police Station Passan, District Korba, Chhattisgarh.

----Non-applicant

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|---------------|----------------------------------------|
| For Applicant | Shri Aditya Khare, Advocate.           |
| For State     | Shri Adil Minhaj, Government Advocate. |

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**Hon'ble Shri Justice Gautam Chourdiya**  
**Order on Board**

**23/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.22/2021 registered at Police Station Passan, District Korba, C.G. for the offence punishable under Section 306 of Indian Penal Code.
3. As per the prosecution, it is alleged that marriage of deceased was fixed with the present applicant, but later on father of the applicant postponed the marriage of applicant with the deceased and after the knowledge of same, the deceased committed suicide by hanging herself in her house.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, he is languishing in jail since 04.02.2021 and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the applicant, further considering the suicide note of the deceased and the statement of her father- Shrawan Kumar where he stated that applicant was ready to marry with the deceased but due to objection raised by his father, applicant had refused to marry with the deceased, charge sheet has already been filed, the detention period of the applicant, who is 21 years old, applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic, conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, she shall be released on bail on the following conditions:-
  - (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
  - (ii) he shall not act in any manner which will be prejudicial to

fair and expeditious trial, and

- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-  
Gautam Chourdiya  
Judge

Akhilesh