

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5214 of 2021**

- Sonu Sahu, S/o Ramcharan Sahu, Aged About 29 Years R/o. Ramayan Chowk, Infront Of Thakur Dev Mandir, Chantidih, Thana Sarkanda, Bilaspur, District - Bilaspur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Station - Sarkanda, Bilaspur District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri KPS Gandhi, Advocate
For Respondent/State	: Shri Aditya Tiwari, Panel Lawyer

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board**26.10.2021**

1. Applicant has preferred this application under Section 439 of CrPC for grant of regular bail as he was arrested in connection with Crime No. 718 of 2021 registered at Police Station- Sarkanda, District- Bilaspur, Chhattisgarh for the offence punishable under Section 306 of IPC.
2. Case of the prosecution, in brief, is that on 23.06.2021, deceased Toran Sahu went to his place of business at Bandhu Complex at Bilaspur, ie Durga Tent and Decoration shop. After allotting work to his workers, when all of them went out of the shop, he committed suicide by hanging. Merg was reported to concerned Police Station, and during the course of merg enquiry, Police seized message on mobile status of deceased making allegations that he committed suicide only because of applicant. Based on above mobile status message, applicant was arrested in aforementioned crime.
3. Shri KPS Gandhi, learned counsel for the applicant submits that applicant has been falsely implicated in alleged crime. Except status message appearing in Mobile phone of deceased, there is no other material to connect

present applicant with instant crime. There is no allegation of any nature that applicant has instigated or abated deceased to take step of committing suicide. He also submits that there are chances of making Mobile status message after the incident also. There is no mention of time in status message. Applicant is in jail since 24.06.2021. Hence he may be released on regular bail.

4. Shri Aditya Tiwari, learned State counsel opposing the submissions of learned counsel for the applicant, submits that there are specific allegations in mobile phone of deceased that deceased committed suicide only because of Minku Sahu @ Sonu Sahu, which connect present applicant with instant crime. Learned counsel read over statement of Nirupa Sahu, sister-in-law of deceased, who in her statement stated that applicant is having talking terms with her. He wants to marry her and cause obstruction in fixing of her marriage with other person. Hence, there is direct involvement of applicant in instant crime.

5. I have heard learned counsel for the parties.

6. Taking into consideration nature of allegations, material collected by the Police during the course of investigation, fact that applicant has been arrested in the instant crime based on mobile status message only, submissions of learned counsel for the parties, without commenting anything on merits of the case, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on regular bail upon furnishing personal bond in the sum of Rs.25,000/- (Rupees twenty-five thousand) with one local surety in the like sum to the satisfaction of the concerned Court on the condition that:

1. Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
2. Applicant shall not in any manner, tamper with the prosecution witnesses.
3. If the applicant is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE