

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

M.Cr.C. No. 5541 of 2021

- Neeraj Verma, aged about 22 years, S/o Shri Arun Kumar Verma, at – Korasi, P.S. Kharora, Tehsil and District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, through SHO P.S. Kharora, Raipur (C.G.)

---- State/Non-Applicant

For Applicant	:	Shri Vinay Nagdev, Advocate
For Non-Applicant/State	:	Shri Anand Verma, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

02.09.2021

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he is in jail since 24.11.2020 in connection with Crime No. 284/2020 registered in Police Station- Kharora, Raipur (CG), for the offence punishable under Section 306 of IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to file afresh as and when occasion arises vide order dated 16.06.2021 passed in M.Cr.C. No. 1640/2021.
3. Prosecution case in brief is that the marriage of the deceased was solemnized in the year 2019 with the present applicant. On 01.08.2020, the deceased committed suicide by hanging herself in-laws' house. During investigation, it was revealed that the applicant used to pass taunts at deceased because of doubt of her extra marital affair owing to which she committed suicide by hanging herself. Hence, on report being lodged to the above effect, the aforesaid offence has been registered against the applicant.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that there is no likelihood of the applicant tampering with the prosecution evidence or absconding, he is in jail since 24.11.2020 and due to Covid-19 pandemic, trial is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.
5. On the other hand, learned counsel for the Non-Applciant/State opposes the bail application.
6. Considering the facts and circumstances of the case, considering the nature of allegation made against the present applicant, charge-sheet has already been filed and charge has been framed under Section 306 of IPC against the applicant, the pre-trial detention of the applicant who is 22 years old which comes to more than nine months, there is no progress in trial as out of 17 witnesses, till now no any single witness has been examined, due to covid-19 pandemic, conclusion of trial may take some time, the fact that there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels, without commenting anything on merits of the case, the second bail application is allowed.
7. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail, on 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/her 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.
8. 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 nature of offence.

Sd/-
(Gautam Chourdiya)
Judge

vatti