

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7199 of 2021**

- Pawan Gupta, S/o Omchandra Gupta, Aged About 35 Years, R/o Road No. 18, Camp - 1, Police Station Chhawani, Bhilai, District Durg Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Though Station House Officer, Police Station Chhawani, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. T.K. Jha, Adv.
For Respondent/State	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.10.2021**

1. 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. 69/2021 registered at Police Station- Chhawani, District Durg (C.G.) for the offence punishable under Section 306 of IPC.
2. As per the case of the prosecution, on 27.12.2020, at about 10:30 PM, when deceased was talking to her friend, at the same time applicant came there and objected the same and also threatened her of making her photograph viral. Thereafter, in the intervening night, deceased committed suicide by hanging herself.
3. 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 the act of the applicant does not amount to abatement of suicide and there is no direct evidence against the applicant. He further submits that the applicant is in jail since 13.08.2021, charge-sheet has been filed,

there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail to the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicant is in jail since 13.08.2021, 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.
7. 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)
Judge**

R/-