

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3523 OF 2015**

Chandrajeet Patel W/o Late Narendra Kumar Patel; aged about 28 year; R/o Village Bariyon; Police Choki Bariyon; Police Station Rajpur; Revenue District Balrampur-Ramanujganj; Civil District Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through : Police Station Rajpur; District (Revenue & Civil) Surguja (C.G.)

---Non-applicant

For Applicant	:	Mr. S.D. Singh, Advocate.
For-Non-applicant	:	Mr. Siddharth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 228/2014, registered at Police Station Rajpur District Civil Surguja (C.G.), for the offence punishable under Section 306/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant and other co-accused person are alleged to have instigated/abated deceased Sikandar Khan to commit suicide, by which, he committed suicide and thereby applicant has committed offence.

3. Learned counsel for the applicant would submit that deceased had love affair with the applicant's mother and wanted her to marry but applicant's mother refused then he committed suicide out of frustration. He would further

submit that incident was on 23/02/2014, First Information Report was lodged on 24/11/2014 and he has been arrested on 14/05/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; nexus and proximity between conduct and behavior of the present applicant with the suicide committed by the deceased and extent of delay in lodging of First Information Report, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on 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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE