

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6229 of 2015

Awalok Singh Alias Abhilokh Singh Alias Babua Singh S/o Mewalal
Gond Aged About 25 Years R/o Village Dangoura, P.S.
Manendragarh, Distt. Korea, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Incharge P.S. Manendragarh, Distt.
Korea, Chhattisgarh.

---- Respondent

For Applicant	:-	Ms. Usha Chandrakar, Advocate
For Respondent/ State	:-	Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

23/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 9/2015 registered at Police Station- Khadgavan, for the offence punishable under Section 66 of Information Technology Act.
2. As per prosecution story, the deceased Kalawati wife of Sheopal Singh has committed suicide. The allegation against the present applicant is that the applicant used to talk on mobile and harassed the deceased to keep her as wife. The applicant continued with his action, tortured and harassed the deceased and subsequently a panchayat meeting was called in the Village and on that day the deceased Kalawati committed suicide.
3. Counsel for the applicant submits that there is no abatement of suicide was made by the applicant and the deceased committed suicide for the reasons that a panchayat meeting of the village

was called. He further submits that the charge sheet in the case has been filed and nothing can be attributed to the applicant.

4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that the applicant used to torture and harass the deceased and the applicant wants to keep the deceased as her wife and therefore, the applicant should not be released on bail.
5. Having regard to the fact the degree of offence and the nature of allegation leveled against the applicant, the statement recorded by the prosecution and the fact that the charge sheet in this case has already been filed and the applicant is in jail since 01.06.2015. Considering the fact for the purpose of bail without any observation on merit, this Court is of the opinion, that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge