

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 1246 of 2015

1. Suresh Kumar Mirri, S/o. Shri Faguram Mirri, aged about 24 years, R/o. Village-Gorhi, Police Station-Bilha, Civil and Revenue District-Bilaspur (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, through : S.H.O., Police Station – Bilha, Civil and Revenue District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Parasmani Shriwas, Advocate
For Respondent/State	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/12/2015

1. Apprehending arrest in connection with Crime No.263/2015 registered at Police Station- Bilha, Bilaspur, District – Bilaspur (C.G.), for offence punishable under Section 305, 363, 366(A), 376 of Indian Penal Code & Sec. 4 of Protection of Children from Sexual Offences Act, 2012, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, it is alleged that the applicant has developed sexual relation with the deceased, Silviya Peter and exploited for five years and subsequently married to another girl, therefore, Silviya Peter committed suicide, who was minor at the time of committing suicide.
3. Learned counsel for the applicant would submit that, the applicant has been falsely implicated in this case. He would further submit that the applicant is the resident of different village and therefore, the

allegation, which is made against the applicant is completely without any substance. Therefore, he prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. I have perused the case diary and the suicidal note. In the suicidal note, direct allegations have been made against this applicant that because of sexual exploitation and after refusal to marry, she has committed suicide. Considering the dying declaration of the deceased and the facts and circumstances of the case, it appears that custodial interrogation of the applicant may be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge