

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2723 OF 2015**

Fatko Bai alias Kalash Kumari W/o Shiv Prasad age about 28 years R/o village-Bhaari P.S. & P.o.-Baikunthpur, Tehsil-Baikunthpur, District-Koria (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station-Baikunthpur, District Koria (CG)

---Non-applicant

For Applicant	:	Mr. Vijay Kumar Sahu, Advocate.
For-Non-applicant	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/07/2015**

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.92/2015, registered at Police Station-Baikunthpur, District-Koria (C.G.), for the offence punishable under Section 306/34 of the IPC.

2. Case of the prosecution, in brief, is that, on account of instigation and abetment given in the shape of assault extended by the applicant and co-accused, deceased Kuleshwari committed suicide on 3.3.2015 by hanging.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has falsely been implicated in offence in question, she is young woman aged about 28 years, charge-sheet has

already been filed and no useful purpose would be served by detaining her in jail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that on account of the deceased having elected in the election the applicant and co-accused persons assaulted her brutally by which she felt insulted and humiliated and committed suicide on 3.3.2015 by hanging.

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 and proximity and nexus between conduct and behaviour of the present applicant with the suicide committed by the deceased, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-