

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2909 of 2015**

- Prabhu Banjare S/o Late Narayan Banjare Aged About 21 years
R/o Beeja Gondra. Thana Saja, District Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station- Saja, District
Bemetara, Chhattisgarh

---- Non-Applicant

For Applicant:	Shri Samir Singh, Advocate.
For Non-Applicant/State:	Smt. Anusuiya Rajput, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 89/2015 registered at Police Station – Saja, Distt. Bemetara for the offence punishable under Sections 306 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant is alleged to have abetted/instigated Ku. Chuleshwari (since deceased) to commit suicide and on account of frustration and

humiliation, she committed suicide by pouring kerosene oil on her body and setting herself on fire.

(3) Counsel for the applicant submits that the *Naksha Panchnama* and the memo issued by the concerned police station clearly indicates that deceased suffered burn injuries by accident while she was cooking food and, as such, he is languishing in jail since 20.04.2015 and, therefore, the applicant may be released on bail.

(4) Per contra, counsel for the State submits that applicant had love affair with the deceased and on being refused to marry, she committed suicide.

(5) Taking into consideration the nature and gravity of the offence, and further taking into consideration the material collected by the prosecution against the applicant; and further considering extent of proximity and nexus between the conduct and behaviour of accused with suicide committed by the deceased; I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-