

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4592 of 2015**

Butudas, aged about 80 years, son of Shri Premdas, R/o. Village Padniya, P.S. Korba, Tahsil and District Korba (CG)

---Applicant**Versus**

State of Chhattisgarh, Through: Station House Officer, P.S. City Kotwali, Korba, District Korba (CG)

---Non-applicant

For Applicant	:	Mr. Raghvendra Pradhan, Advocate
For Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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.159/2015, registered at Police Station-City Kotwali, Korba, District Korba (C.G.), for the offence punishable under Section 306/34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant and co-accused abetted the commission of suicide by Dev Singh on 1.4.2015.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question, as he has lodged FIR against deceased Dev Singh for having abused and threatened him to kill, on 1.4.2015. Charge-sheet has been filed and the applicant is in jail since 3.4.2015.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant and co-accused lodged false case against the deceased and demanded Rs.5,000/- to withdraw this

case, and out of frustration and humiliation, the deceased has committed suicide, therefore, the applicant is not entitled to be released on 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, lodgment of first information report first time by the present applicant against the deceased, taking note of extent of proximity and nexus between conduct and behaviour of the present applicant, the fact that charge-sheet has already been filed and also the fact that bail was granted to co-accused Budhwar Das by this Court vide order dated 11.8.2015 in M.Cr.C.No.3627 of 2015, I am of the view that it is a fit case to grant regular bail to the applicant.

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.s

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-