

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.406 of 2016

Somraj Soni, aged 30 years, S/o Late Shri Parasnath Soni, R/o Baigapara,
Near Goura Choura, Durg, P.S. Durg, Tehsil, Civil & Revenue District Durg
(C.G.)

---- Applicant

Versus

State of Chhattisgarh, through District Magistrate, Durg, Distt. Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Jaydeep Singh Yadav, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.256/2015, registered at Police Station Durg, Distt. Durg, for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that on account of instigation and abetment of the present applicant extended to deceased Suryakant Soni, he ended his life by committing suicide at 3 a.m. on 23-2-2015.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, which is apparent from the fact that FIR was made with delay of one month seven days on 31-3-2015 and there is no evidence to connect the applicant with the crime in question. The applicant has been arrested on 12-12-2015 and since then he is in jail. Charge-sheet has been filed and no custodial interrogation of the applicant is

required.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, his pretrial detention, considering the extent of proximity and nexus between conduct and behaviour of the present applicant with the suicide committed by the deceased, and charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge