

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1464 of 2016

Ravi Paigwar S/o Ganpat Paigwar aged about 22 years
resident of village Shivni Police Station Janjgir District
Janjgir Champa C.G.

---Applicant

Versus

State of Chhattisgarh through Police Station Janjgir
District Janjgir Champa C.G.

---Non-applicant

And

M.Cr.C. No. 1483 of 2016

Shyamlal Suryavanshi (Ratnakar) S/o Kanhaiyalal aged
about 26 years R/o village Seoni Police Station Janjgir
District Janjgir Champa C.G.

---Applicant

Versus

State of Chhattisgarh through Police Station Janjgir
District Janjgir Champa C.G.

---Non-applicant

For Applicants : Dr. Kumaresh Tiwari and Mr.
Basant Dewangan, Advocates

For Non-applicant : Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/03/2016**

1. Above mentioned two bail applications arise out of a common Crime No. 637/2015, registered at Police Station Janjgir District Janjgir Champa (C.G.), for the offence punishable under Sections 306, 452, 506, 323, 34 of IPC, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. Case of the prosecution, in brief, is that, on 23/10/2015 Deenanath committed suicide on account of instigation/abatement extended by the present applicant.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the case. He would further submit that FIR was false and has been lodged after one month i.e. on 21/11/2015. He would further submit that there is no evidence to connect the applicant in crime in question. He would lastly submit that charge sheet has

been filed and applicants are in jail since 08/12/2015, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that on 23/10/2015 at 8 PM applicant assaulted the deceased by which he felt insulted and humiliated and on account of which, he committed suicide at 8.30 PM. He would further submit that this is clear case of abatement/instigation.

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; on 23/10/2015, at 8 PM applicant assaulted the deceased by which he felt insulted and humiliated and immediately, after half an hour, he committed suicide at 8.30 PM, this Court is not inclined to release the applicants on regular bail.

7. Accordingly, bail applications (M.Cr.C. Nos. 1464/2016 and 1483/2016) filed under Section 439 of the

Cr.P.C. are rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Tiwari