

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1795 OF 2016**

Manoj Kumar Kewat @ Lal Bahadur Kewat S/o Shyam
Lal Kewat aged about 25 years R/o Village Dewanibandh
Police Station Baikunthpur Civil and Revenue District
Korea (C.G.)

---Applicant**Versus**

State of Chhattisgarh through Station House Officer
Police of Police Station Khadgawa District Korea (C.G.).

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For-Non-applicant	:	Mr. Dhiraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/04/2016**

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. 19/2016, registered at Police Station Khadgawa, District Korea (C.G.), for the offence

punishable under Section 306 of I.P.C. and Sections 3(1) (10) & 3(2)(5) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Case of the prosecution in brief, is that, on 27/01/2016 on account of abatement/instigation extended by the present applicant, Ku. Fulmati, aged about 19 years committed suicide.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question. He would further submit that no offence under Section 306 of the IPC is made out against the present applicant. He would lastly submit that charge sheet has been filed and the applicant is in jail since, 02/02/2016, therefore, he may be released on regular bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that on 27/01/2016, at about 9.00 AM, applicant slapped the deceased and on account of frustration and humiliation, she committed suicide on the same day at 4.00 PM.

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, and further considering the nature and gravity of offence; extent of proximity and nexus of the conduct and behavior of the present applicant with the suicide committed by the deceased-Ku. Fulmati and the material available against the present applicant, this Court is not inclined to release the applicant on bail.

7. Accordingly, bail application is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE