

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7423 of 2015

Apurv @ Appu Sharma, S/o. Ram Avtar Sharma, aged about 22 years,
R/o. Ward No. 12, near Agrasen Bhawan Nevra, P.S. Nevra, District
Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, P.S. Nevra, District
Raipur (C.G.)

---- Respondent

For Applicant	:-	Mr. V.C. Ottalwar, Advocate
For Respondent/ State	:-	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

13/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 237/2015 registered at Police Station- Nevra, District Raipur (C.G.) for the offence punishable under Sections 306 of IPC.
2. Case of the prosecution, in brief, is that Kumar Varsha Rani Verma committed suicide on 07.09.2015, as the applicant spread a rumor among his friend that she was in love affair with the him. Initially, a return report was made by the deceased against the applicant which was registered under section 354-D and 506 of IPC and when the applicant was arrested and he was identified by the girl. Subsequently, the applicant was bailed out. Thereafter, the girl committed suicide. It is the allegation that the applicant abetted on crime to commit suicide. Thereby the offence is committed.

3. Counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the applicant has not abetted the deceased to commit suicide. He further submits that the charge-sheet in this case has been filed and the applicant is in jail since 08.09.2015; therefore, he may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail and submits that according to dying declaration the allegation have been attributed to the applicant, therefore, the applicant should not be released on bail.
5. Perused the case diary and statement and documents. Having regard to the fact and the nature of offence and the degree of allegations levelled against this applicant; the charge sheet has been filed in this case and the fact the applicant is in jail since 08.09.2015, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. are allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)

Judge