

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1395 of 2016**

Daulat Rai S/o Late Gorelal Rai aged 62 years R/o village
Chanadongari P.S. Marwahi District Bilaspur C.G.

---Applicant**Versus**

State of Chhattisgarh through Police Station Marwahi
District Bilaspur C.G.

---Non-applicant

For Applicant	: Mr. Anand Mohan Tiwari, Advocate
For Non-applicant	: Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/03/2016**

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. 146/2015, registered at Police Station Marwahi District Bilaspur (C.G.), for the offence punishable under Sections 306 and 34 of IPC.
2. Case of the prosecution, in brief, is that, Madan

Gopal Singh was working as Center Incharge, in Paddy Procurement Center, Marwahi committed suicide on the instigation given by applicant and other co-accused persons.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that he is neither employee nor officer or director of the society and he is never pressured the deceased to commit suicide. He would further submit that applicant's wife is only member of the Board of Director. He would lastly submit that co-accused Narayan Prasad Gupta has already granted anticipatory bail by Co-ordinate Bench of this Court in M.Cr.C.(A) No.1178/2015 on 26/11/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; role of the present applicant in offence in question; pretrial detention of the applicant and particularly, the fact that co-accused person has already been granted bail, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE