

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 187 of 2016

- Suresh Sahu S/o Shri Bhaiyalal Sahu Aged About 23 Years
Occupation Agriculturist, R/o Vill. Biniya Chauki, Kedma, P.S.
Udaipur, Surguja, Civil and Rev. Distt. Surguja Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh through the Station House Officer, Police
Station - Ajak, Ambikapur, Civil and Rev. Distt. Surguja
Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Malay Bhaduri, Advocate.
For the Respondent	:	Mr. Ramakant Mishra, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 13/2015 (FIR No.13/2015) registered at Police station AJAK Ambikapur, Distt. Surguja (C.G) for the offences punishable under section 306 IPC and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 18.03.2015 Ku. Pawaro Majhwar committed suicide by consuming poison. It is alleged that before 3 years of the incident, the applicant committed forcible rape with the victim and he was arrested and subsequently after release on bail, he came back and started torturing the prosecutrix and used to come to the house of prosecutrix after consuming liquor. Consequently, she committed suicide by consuming poison.

3. Learned counsel for the applicant submits that neither any abetment nor any instigation has been caused by the applicant and only on the presumption, the application has been inculpated. Therefore, he may be released on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the statement of the father of deceased wherein it is stated that initially the applicant has committed rape with the prosecutrix and after he was released on bail, the deceased was subjected to torture.
6. Taking into such allegations against the applicant, I am not inclined to allow this bail petition. Accordingly, it is dismissed.

**Sd/-
GOUTAM BHADURI
JUDGE**