

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1185 of 2016

- Keshav Baghel S/o Shri Manohar Baghel Aged About 40 Years
R/o Behind Madhu Pilley School, Pandritarai, Raipur, Civil &
Revenue District Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through The Police Station Devendra
Nagar, Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. B.P. Sharma, Advocate
For the Respondent	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10.03.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant who has been arrested in connection with Crime No. 129 of 2015 registered at P.S. Devendra Nagar, Raipur (C.G) for the offence punishable under Section 294, 506, 323, 341, 147, 148, 306 of IPC.
2. The case of prosecution, in brief, is that on 04.11.2015, the applicant along-with 5 other co-accused assaulted Rohit Singh @ Dharnidhar Pratap Singh and his brother Parikshit Singh and out of frustration and humiliation, he committed suicide by hanging.
3. Learned counsel for the applicant submits that the applicant has not committed any offence in question and he has been falsely implicated in this case and there is no injury to his brother Parikshit Singh and in the suicidal note written by Dharnidhar, only the name of Bandhu Jhangel has been mentioned and the applicant has not been named. He further

submits that the deceased was hyper sensitive and there was no such dispute between the applicant and deceased which had compelled the deceased to commit suicide. He relied on a case law reported in *(2010) 12 SCC 190 – S.S. Chheena Vs. Vijay Kumar Mahajan* (Paras 25 & 26). He further submits that the applicant is in jail since 10.11.2015 and the charge sheet has been filed in this case, therefore, he may be enlarged on bail.

4. On the other hand learned State Counsel opposes the bail application.
5. Taking into consideration the facts and circumstances of the case; nature & gravity of the offence; the extent of nexus and proximity between the conduct and behaviour of the applicant with the suicide committed by the deceased and taking into contents of the suicidal note as also the role of the present applicant and his pretrial detention, this court is of the opinion that present is a fit case to enlarge the applicant on regular bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court on each and every date as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
SANJAY K. AGRAWAL
JUDGE