

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2613 of 2016

Animesh @ Banta Ekka, S/o. Jugal Ekka, aged about 21 years,
R/o. Thakurpur, P.S. Jainagar, Surajpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Rajpur District Balrampur, Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:- Mr. Jitendra Shrivastava, Advocate
For Respondent/ State	:- Ms. Sobha Kashyap, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

21/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 31/2016 registered at Police Station- Rajpur District Balrampur, Ramanujganj (C.G.) for the offence punishable under Section 306 of IPC.
2. Case of the prosecution, in brief, is that the deceased Nanki Lakda committed suicide by consuming poison on 24.01.2016. It is the case of the prosecution that earlier the marriage of the deceased girl was to be performed and was fixed with the applicant, however, the girl was not major therefore, her parents waited for one and a half year. Subsequently, the girl came to know that the boy was going to get married somewhere else as such thereafter,

the girl committed suicide, thereby the offence has been committed.

3. Counsel for the applicant submits that the applicant has been falsely implicated in this case and no evidence is on record to show that the applicant has abetted the deceased to commit the suicide. He further submits that when the deceased came to know that second marriage was fixed that of the applicant as such she committed suicide. He further submits that the applicant is in jail since 29.02.2016, therefore, the applicant may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case and the fact that the charge-sheet has been filed, taking into the fact that allegation levelled against the applicant and considering the gravity of offence and the manner in which the offence was committed and further the fact that the applicant is in jail since 29.02.2016, I am of the opinion that it is a fit case where the applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is 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