

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2809 of 2016

Somaru Gawadey S/o Kariya Gawadey Aged About 30 Years By
Caste Madiya, R/o Tirthum Schoolpara, Police Station - Kodenaar,
Distt. Bastar Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Police
Station - Kodenaar, Distt. Bastar Chhattisgarh

---- Respondent

For applicant - Shri Awadh Tripathi, Advocate.
For Respondent/State – Ms. Shobha Kashyap, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 83/2015 registered in Police Station Kodenaar, Distt. Bastar (C.G.) for offence punishable under sections 363, 366, 306 of Indian Penal Code.
2. As per the prosecution case one girl Reena Kashyap was taken away from the lawful guardianship of her mother and father and subsequently she came back to her friends house. Thereafter she committed suicide by hanging on 5/10/2015 and the allegation that applicant has abetted the commission of crime by taking away the girl.
3. Learned counsel for the applicant submits that initially the girl went out of her own on 2/10/2015. Thereafter, she stayed along with her friend from 3/10/2015 to 5/10/2015 at her friends place and had there been conversation in between during such period which would go to show that applicant has not committed any offence or abetted any crime. Learned counsel further submits that according to the statement of the brother of

the deceased Laxman it would be evident that since they wanted to get her married somewhere else and not with the applicant and therefore the deceased has committed suicide. Therefore, the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the statement of brother of the deceased namely Laxman as also mother Sanno Bai. After perusal of the statement and taking into fact degree of allegation made and also for the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE