

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2995 of 2016

Shivkumar Verma, S/o. Kamta Prasad, Aged About 22 Years, R/o. Village-Tilaikhar, Police Station & Tahsil- Dongargaon, District Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Basant Dewangan, Advocate

For Respondent : Mr. Neeraj Kumar Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.51/2016 registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Section 306, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Khemin Bai committed suicide by hanging on 25.01.2016. It was the case of the prosecution that the deceased was pregnant before the marriage and therefore a social meeting was held. The applicant initially refused to marry the girl and stated that if it is proved that the deceased became pregnant because of the applicant on the basis of DNA then only he will marry the girl, however, due to social pressure subsequently, the applicant performed marriage with the girl/ deceased on 01.01.2016 but continued his version that he wanted to get DNA test of the baby to confirm and on that reason

subsequently the deceased committed suicide by hanging as she was subjected to torture and abetment.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and because of social pressure, he was made to marry the girl/deceased, however, it was stated that the applicant wanted to conduct DNA test of the baby and has not abetted the girl; therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the mother and father of the deceased. Considering the evidence and the facts and circumstances of the case and taking into fact that the charge sheet has been filed and the applicant is in jail since 19.02.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his 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.

Sd/-
(Goutam Bhaduri)
Judge