

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3732 of 2016

- Tilakram Sahu S/O Govind Sahu Aged About 25 Years R/O Village - Marar Kashi Bahra Police Station - Bheemkhoj, Tahsil - Bagbahara, Civil & Revenue District - Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Police Station Pateva, District - Mahasamund Chhattisgarh

---- Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate

For Respondent/State : Mr. O.P. Sharma, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.07.2016

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 on 27-05-2016 in connection with Crime No. 77 of 2016, registered at Police Station Pateva, District Mahasamund (CG) for the offence punishable under Section 306 read with Section 34 of the IPC.
2. As per prosecution case, on 21-10-2015 deceased Ugeshwar Sahu had committed suicide by consuming poison. Further, a letter was seized on 26-10-2015 wherein certain allegations have been leveled against the applicant and other co-accused persons and on the basis of the said letter first information report was lodged on 5-5-2016 and the applicant was arrested on 27-5-2016 on the ground that he has abetted the commission of offence.
3. Learned counsel appearing for the applicant would submit that in the suicidal note it has been categorically stated that the

deceased has taken money from different persons in the market and he named those persons and also admitted the fact that he has to return the money to them and since he has not returned the money, therefore, he has committed suicide. He would further submit that under these circumstances, no allegation of abetment can be attributed to the present applicant, the applicant has been falsely implicated in the case, charge-sheet has been filed in this case and he is in jail since 27-5-2016, therefore, he may be released on bail.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary, documents and the letter which was seized.
6. Taking into consideration the facts of the case, nature of allegation leveled against the applicant, considering the letter which was seized, the documents collected and the applicant is in jail since 27-5-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju