

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4486 of 2016

Suresh Miri S/o Shri Faguram Miri, Aged About 25 Years, R/o Village Godhi, Police Station Bilha, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Bilha, Tahsil And District Bilaspur Chhattisgarh.

---- Respondent

For applicant - Shri M.D. Dhote, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.263/15 registered in Police Station Bilha, District Bilaspur (C.G.) for offence punishable under section 305 in alternate 306, 363, 366-A, 376-Jha of IPC and Section 4 of the Protection of Children from Sexual Offences Act (POCSO Act) 2012.
2. As per the prosecution case, the applicant had developed physical relation with the deceased Silviya Peter and she was deserted as such she committed suicide by hanging. Allegation against the applicant is that the applicant has abetted the happening of crime.
3. Learned counsel for the applicant submits that two SMS were sent by the deceased and no allegations have been attributed to this applicant instead stated that the deceased was in love relation with the applicant but the applicant was compelled to join and having not exceeded to her request, she committed suicide, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the witness as also statement of mother of the deceased Rani Baghdalin wherein allegation of rape has been attributed to this applicant and also the suicidal note of the deceased wherein all the allegations have been attributed to this applicant. Considering such suicidal note, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE