

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5539 of 2016

1. Deepak Sahu, S/o. Videshram Sahu, aged about 25 years, R/o. Yadav Nagar, Tifra, P.S. - Sirgitti, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Sirgitti, District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Arvind Dubey, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/09/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.176/2016, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 376, 506 of Indian Penal Code.
2. As per prosecution case, the applicant extended threat to the victim, who was a married lady. Subsequently on continuation of such extension of threat, the applicant committed forceful intercourse in between February, 2016 to March, 2016. Subsequently, the victim committed suicide. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that the applicant and the prosecutrix were in love relation, though she was married lady, therefore, she has committed suicide. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 01.06.2016, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary as also the suicidal note, wherein entire allegation of physical exploitation is attributed to the present applicant. Taking into such suicidal note, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge