

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5764 of 2016

1. Prabhakar Singh, S/o. Rajendra Singh, aged about 33 years, Occupation- Samiti Sewak at Sahkari Bank, R/o. Gadelpara – Police Station – Baikunthpur, District – Korea (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Thana Incharge, Police Station – Baikunthpur; District – Korea (C.G.)

---- Respondent

For Applicant	: Mr. Sumit Jhanwar, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/09/2016

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 – Baikunthpur, District – Korea (C.G.) for the offence punishable under Section 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Ajit Singh committed suicide by hanging as also took medicine and had cut his arteries of wrist on 25.06.2016 for the reasons that the applicant and his wife and other persons namely Nirala Singh, Shyama Bai and her sisters and brothers has caused abetment and tortured the deceased for which he committed suicide and the same fact was revealed when the suicidal note was recovered after the death of the deceased. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the deceased used to love one Nirala Singh and she got married and the girl was neighbour to the present applicant and the applicant was drug addict and further no abetment has been caused by the present applicant, 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 and the documents as also the suicidal note, wherein cause of death has been attributed to number of persons and stated that the deceased was subjected to physical and mental torture. Considering the nature of allegation as it was made against the number of persons and the deceased also admitted the fact that he became drug addict, taking into totality of the facts, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge