

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6408 of 2016

Semsun Viliyam, S/o. Late Sushil Viliyam, Aged About 20 Years, R/o. Mangala Chowk, Ganganagar, Sector-II, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, City Kotwali Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant : Mr. Umakant Singh Chandel, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/10/2016

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.302/2016 registered at Police Station- City Kotwali Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 306, 509 of I.P.C.
2. As per the prosecution case, on 27.08.2016 one Shivani Dewangan committed suicide by hanging. She was a student of B.Sc. III year in Nursing College Dhamtari and the reasons are attributed to the present applicant that the applicant has abetted the deceased to commit suicide as the deceased was in love affair with the applicant and the applicant has recorded some obscene video of the deceased and had also kept her ATM card.
3. Learned counsel for the applicant would submit that the applicant has not committed any abetment, the applicant and the deceased

came in contact by a facebook and they developed love relation and the transcript of the whatsapp & facebook do not attributed any allegation against the present applicant that he abetted the deceased or blackmailed her; thereby she committed suicide. He further submits that no further investigation is required in this case, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement as also the transcript of the deceased with the applicant and her brother. Taking into such transcript, which is up-till before the commission of suicide, without any further observation on merit, taking into fact that no further investigation is necessary, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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