

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 346 of 2017

- Kamalu Ram Nirmalkar S/o Lakhan Lal Nirmalkar, Aged About 52 Years R/o Ward No. 7 Leela Choura, Jamul Police Station Bhilai, Tahsil And District Durg Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Jamul Bhilai District Durg Chhattisgarh

---- **Respondent**

For Applicant : Mr. Uttam Pandey, Advocate

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-02-2017

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 19-12-2016 in connection with Crime No. 617 of 2016, registered at Police Station Jamul, Bhilai, District Durg (CG) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that in the intervening night of 9 & 10-11-2016 one Ravi Umare committed suicide by hanging. It is alleged that present applicant had given certain amount to the deceased and got certain documents signed and in absence of payment threat was extended to him. Consequently he committed suicide which was written in the suicidal note and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and he has not

abetted the deceased to commit suicide. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 19-12-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the suicidal note of the deceased and the statement of Savitri, wife of the deceased.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the contents of the suicidal note, without further observation on the merits of the case, I am inclined to release the applicant on bail.
8. 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. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju