

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2299 of 2017

1. Ramgopal Sahu S/o Gaukaran Sahu, Aged About 26 Years, R/o Pratappur (wrongly mentioned as Pratappur in the bail rejection order), Police Station Lalpur, District Mungeli, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Station House Officer, Police Station Lalpur, District Mungeli, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Shiv Kumar Guha, Advocate.

For Non-applicant/State – Shri Sumit Jhanwar, Panel Lawyer.

Shri N.P. Thakur, Advocate for objector/complainant Kaleshpuri.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

08-05-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.48/2017 on 19-3-2017 by Lalpur police, District Bilaspur, C.G. for the offence under Section 294, 506, 509 and 306 of the IPC. After investigation charge sheet has been filed which is pending for its committal before the JMFC Mungeli as Criminal Case No.420/2017. Learned counsel for the applicant would submit that the matter is covered under Section 306 of the IPC as the ingredients of Section 107 of the IPC is not attracted. The applicant is not abetted for commission of suicide. Hence, looking to the entire facts and circumstances, the applicant may be granted bail.
3. Per contra, learned counsel for non-applicant/State duly assisted by learned counsel for the objector/complainant opposed the argument advanced on behalf of the applicant.
4. Perused the entire material.
5. After perusal of the written report and statement of the complainant and with the fact that as the deceased attempted for suicide on 02-3-2017 and in a serious condition she was treated in CIMS hospital, Bilaspur, she died on 14-3-2017, the evidence collected in the matter goes to show that prima facie the

matter is connected under Section 107 of the IPC as the explanation 2 is attracted in the matter looking to the entire conduct and facts surfaced.

6. On due consideration, I am not inclined to grant bail to the applicant. Consequently, the instant MCRC is hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE