

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3585 of 2017

1. Nagesh @ Nitish Chandrakar S/o Bharat Lal Chandrakar, Aged About 26 Years, R/o Village Anda, Police Station Anda, District Durg, Chhattisgarh.
2. Vikki Joshi S/o Bhuvnehwar Prasad Joshi, Aged About 25 Years, R/o Village Anda, Police Station Anda, District Durg, Chhattisgarh.
3. Jwala Singh Baghel S/o Man Singh Baghel, Aged About 27 Years, R/o Village Anda, Police Station Anda, District Durg, Chhattisgarh.
4. Saket Chandrakar @ Bhupendra S/o Pawan Chandrakar, Aged About 23 Years, R/o Upparwada, Police Station Gunderdehi, District Balod, Chhattisgarh.
5. Ritesh Kumar Sahu S/o Bhushan Lal Sahu, Aged About 26 Years, R/o Village Anda, Police Station Anda, District Durg, Chhattisgarh.
6. Gajendra Kumar Dewangan S/o Girdhari Lal Dewangan, Aged About 26 Years, R/o Village Khapparwada, Police Station Gunderdehi, District Balod, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through the Station House Officer, Police Station Anda, District Durg, Chhattisgarh.

---- Non-applicant

For Applicants – Shri Jitendra Pali, Advocate.
For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

14-06-2017

1. This is first bail application filed under Section 439 of the Cr.P.C. seeking grant of bail to the applicants in connection with Crime No.16/2017 registered at Police Station Anda, District Durg, C.G. for the offence punishable under 306, 384, 323, 201/34 of the IPC.
2. As per the prosecution, one Shyamlal committed suicide by hanging on 14-02-2017. It is alleged that he had taken loan from Nagesh @ Nitish Chandrakar. The said amount was paid, however, he was being pestered for further payment of interest, having not paid he was subjected to physical assault and was also made to stand in mute state and was made to salute the passerby on road. Consequently, for such abetment deceased Shyamlal

committed suicide.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case. The applicants are in jail since 21-04-2017. Applicant Nagesh @ Nitish Chandrakar was a money lender and he is a licensed money lender. The deceased though had obtained the loan and could not repay the same, therefore, he himself committed suicide. He further submits that charge sheet has been filed and no further investigation is necessary; therefore, the applicants may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail referring the statement of Someshwar, brother-in-law of the deceased and also the suicidal note.

5. It appears that some monetary transaction had taken place between the deceased and the applicant. Taking into consideration the aforesaid fact and the totality of the circumstances including the fact that charge sheet has been filed and no further investigation is necessary, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one solvent surety in the like sum to the satisfaction of the concerned trial court for their appearance before the said court as and when directed.

8. C.C. as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge