

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6241 of 2017

Shailendra Kumar Verma, S/o. Shri Ram Kumar Verma, Aged About 26 Years, R/o. Village Pety, Khairagarh, Police Station Jalbandha, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The District Magistrate Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shikhar Sharma, Advocate

For Respondent : Mr. S.K.Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.11.2017

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 in connection with Crime No.218/2017 registered at Police Station- Mohan Nagar, Durg (C.G.) for the offence punishable under Section 306, 376, 109 of I.P.C.
2. As per the prosecution case, on 08.05.2017 one Jyoti Verma committed suicide by hanging. It is alleged that the present applicant has committed forceful sexual intercourse with her and also made certain clippings of that and thereafter the deceased was deceived, consequently she committed suicide.
3. Learned counsel for the applicant submits that as per the suicidal note, the present applicant has been inculpated, however, the suicidal note also contains that she performed marriage, therefore, the allegation of 376 has not been sustained. He further submits that the statement of Satyawati & Sonali who are room-mates of

the deceased have also not disclosed anything against the applicant, 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 documents. The charge sheet also contains detailed suicidal note wherein the allegations have been attributed against the present applicant. Considering the nature of allegation and the suicidal note, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge