

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8134 of 2016

- Horilal S/o Atmaram Aged About 45 Years Caste Satnami, Occupation Labourer, R/o Village Khajari, Police Station & Tahsil Sarangarh, District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through The District Magistrate Raigarh, District Raigarh, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Raghavendra Pradhan, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-01-2017

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 26-9-2016 in connection with Crime No. 389 of 2014, registered at Police Station Sarangarh, District Raipur (CG) for the offence punishable under Section 306/34 of the IPC.
2. Case of the prosecution, in brief, is that one Jeetu Sahu committed suicide on 10-9-2013. It is alleged that she was subjected to abetment as she was insulted and humiliated by the present applicant. Subsequently, she committed suicide by hanging and thereafter FIR was made on 4-11-2014, charge sheet was filed on 22-5-2015 and thereafter arrest warrant was issued against the present applicant whereby the applicant surrendered on 26-9-2016.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and the applicant 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 26-9-2016 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 documents.
6. Taking into consideration the facts and circumstances of the case and further considering the proximity and nexus between conduct and behaviour of the applicant with suicide committed by the applicant and further considering the period of detention, I am inclined to release the applicant on bail.
7. 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 for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju