

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 36 of 2018**

Sushil Kumar Bhangvar S/o Late Teejram Bhangvar, Aged About 37 Years R/o Gobra, Thana Dabhara, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kharsiya, Distt. Raigarh Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vikash Pandey, Advocate.
For the Respondent/State	:	Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****05.02.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 345 of 2017, registered at Police Station Kharsiya, Raigarh, District Raigarh, Chhattisgarh for the offences punishable under Sections 306 and 201 read with Section 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. It is further submitted that co-accused – Ashok Agrawal has been granted bail by this Court in M.Cr.C. No. 5641 of 2017 dated 23.11.2017 and the applicant also has a similar case. Hence, for these

reasons, the applicant is entitled for grant of bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the co-accused has been granted bail, however, this case is different, as because of the instigation of the applicant, the deceased committed suicide. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. Deceased – Preeti Yadav was a student of Class 10th in Kamla Nehru Public Higher Secondary School. As the deceased had not deposited the readmission fees, it was the applicant who continuously asked her and pressurized her to deposit the same. It is alleged that the deceased was ill-treated by the applicant because of non-deposition of the fees, due to which, she committed suicide by jumping from the roof of the school building.

6. Considering the submissions and the contents of the case diary, taking into consideration the material on record, I am of the considered opinion that the applicant deserves to be released on bail.

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

8. It is directed that the applicants shall be released on bail on each of them 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 their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi