

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 678 of 2018**

Ramesh Kumar Patel S/o Chain Singh Patel Aged About 20 Years R/o Awaspara, Amabeda, Police Station Amabeda, District North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer Police Station Amabeda, District North Bastar Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent

For the Applicant : Shri D.N. Prajapati, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.03.2018**

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.16 of 2017, registered at Police Station – Amabeda, District – North Bastar, Kanker, Chhattisgarh for the offence punishable under Sections 306 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.10.2017 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. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on 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 no case is made out for grant of regular bail to the applicant.

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

5. According to the prosecution case, on 7.8.2017, deceased – Ku. Sukhiyarin Bai went to village Kalgaon, Antagarh for Rakhi Festival and from there on 9.8.2017, she came to the house of Chain Singh in village Amabeda where this applicant kept the deceased in confinement inside a room by locking it outside. Father of the deceased and other witnesses arrived on the same day, the lock was broke open and the deceased was enquired as to why she came there on which she stated that she want to stay in the house of the applicant, then all of them left her. On 10.8.2017, the deceased committed suicide by hanging herself in a poultry farm. The allegation against this applicant is that he kept her in confinement and as such, she committed suicide.

6. Considering the entire material in the charge-sheet and looking to the nature of allegations against this applicant, 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 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi