

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 811 of 2018

- Divay Kumar Jangdhe Alias Raj S/o Sanat Kumar Jangdhe, Aged About 24 Years R/o Bandhe Bodsara, P.S. Chakarbhata, Distt. Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Chouki Sakri Police Station Chakarbhatha, Distt. Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shailendra Dubey, Advocate.
For Respondent/State	:	Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/04/2018

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.453/2017 registered at Police Station– Chakarbhata, District– Bilaspur(C.G.) for the offence punishable under Sections 306 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 18.10.2017. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant regarding the offence of abetment to commit suicide. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that sufficient evidence is present for prosecution of this applicant. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the case, deceased Poonam Chandra committed suicide in the intervening night 5th-6th October, 2017. Inquest procedure was conducted, in which, complaint addressed to University Authority was found in which it was alleged that this applicant was harassing and torturing the deceased for about a period of one month for some unknown reason. Hence, this applicant has been made accused on this basis.
6. Considered on the entire material present in the case diary and taking into consideration the nature of the case and the evidence that is proposed against this applicant for his prosecution for the offence of abetment to commit suicide, I am of this view that applicant should be released on regular bail during the pendency of the trial against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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