

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3048 of 2018

- Nilesh Tigga S/o Shri Fabiyanus Tigga, Aged About 24 Years, R/o Narayanpur Gauraiya, Police Station Narayanpur, District Jashpur, Chhattisgarh. Presently Resided at Patelpara, Ambikapur, Police Station Gandhinagar, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Gandhi Nagar, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

----Non-applicant

For Applicant – Shri Neeraj Mehta, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 19-01-2018 in connection with Crime No.05/2018 registered at P.S. - Gandhi Nagar, District Surguja, Chhattisgarh for the offence under Section 306 and 201 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in custody since 19-01-2018. No case is made out against him. The deceased has committed suicide out of frustration because this applicant did not want to marry her and this unwillingness of the applicant cannot be regarded as abetment to commit suicide. The applicant is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the applicant and deceased

Rajkishori Lakda were in love affair, because of which, the deceased used to visit the applicant and stay at his place. Subsequently, the applicant clearly refused to marry the deceased, because of which, she got frustrated and committed suicide on 08-01-2018 in the room of the applicant itself. Hence, this case.

6. After considering on the material present in the case diary and the nature of abetment as alleged against the applicant, I am of this view that this is a fit case for grant of regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge