

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7784 of 2017

- Amit Tripathi S/o Subhash Tripathi, Aged About 24 Years, Occupation Business R/o Namnakala Near Molvi Baand, P. S. And Tehsil Ambikapur District Surguja Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Lakhanpur District Surguja Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicant – Shri Shakti Raj Sinha, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-02-2018

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 21-09-2017 in connection with Crime No.161/2017 registered at P.S. Lakhanpur, District Surguja, Chhattisgarh for the offence under Section 306 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case only for the reason that he had sent some messages to the deceased on her mobile phone. No case is made out of the offence of abetment to commit suicide on the basis of material present in the charge sheet filed against the applicant. He is in jail since 21-09-2017. Hence, it is prayed that the applicant may be granted 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. Deceased Priya Chaudhary set herself ablaze in her room at 2 p.m. on 02-09-2017. During course of treatment she died in hospital at 06.50 p.m. on the same day. In the inquest and postmortem it was found that she was having

pregnancy of 8 months. Subsequent to her death the relatives of the deceased searched her room and found one mobile phone, in which, they found some messages sent by this applicant. It is on that basis, the case has been registered against this applicant.

6. Considered on the submissions made and the contents of the case diary.

7. On going through the entire material present in the charge sheet, I am of this view that the applicant should be released on regular bail during pendency of the trial against him.

8. 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge