

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2775 of 2018

- Tikaram Sahu S/o Hemant Kumar Sahu Aged About 23 Years
R/o- Village- Tarsinwa, Police Station- Arjuni, District- Dhamtari,
Chhattisgarh.,

---- Applicant

In Jail

Versus

- State Of Chhattisgarh Through- Station House Officer, Police
Station- Arjuni, District- Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Shikhar Bakhtiyar, Advocate.
For Respondent/State	:	Shri Garry Mukhopadhyay, G.A.

Order On Board By Hon'ble Shri P. Sam Koshy, J

25/05/2018

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 20.3.2018 in connection with Crime No.100/2018 registered at Police Station – Arjuni, Distt. Dhamtari, for the offence punishable under Section 306 of IPC.

2. Allegation against the present applicant is that he used to tease victim Mamta, aged around 18 years, and as a result of teasing, out of frustration she is said to have committed suicide.

3. Counsel for the applicant submits that considering the entire facts, as is narrated in the case diary also, the necessary ingredients for making out offence under Section 306 of IPC are not made out. He further submits that necessary ingredients of abetment as is required

under Section 107 of IPC, are also not available with the prosecution for substantiating the offence under Section 306 of IPC against the present applicant.

4. State counsel, however, opposing the bail application submits that the present applicant used to tease the victim, who out of sheer frustration, has committed suicide.

5. Considering the entire facts and circumstances of the case, particularly taking into consideration the nature of allegation leveled against the present applicant, this Court is of the opinion that prima faice, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present applicant will 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 before the said Court as and when directed.

Sd/

(P. Sam Koshy)

Vacation Judge