

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5189 of 2018**

Darasingh Parihar S/o Gopal Singh Parihar Aged About 40 Years R/o Q.No. 200/b, Shivmangal Apartment, Ring Road Bilaspur, Police Station Tarbahar, Tehsil Bilaspur, District Bilaspur, Chhattisgarh., Permanent Address Ward No. 46, Basantpur, Police Station Basantpur, Tehsil And District Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer Kumhari, District Durg, Chhattisgarh. Also Typed In The Order Dated 28.06.2018, As State Of Chhattisgarh, Through District Magistrate Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant : Shri Surfaraj Khan, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****13.08.2018**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn on 13.7.2018 in M.Cr.C. No. 4971 of 2018. The applicant has been arrested in connection with Crime No.118 of 2018, registered at Police Station – Kumhari, District Durg, Chhattisgarh for the offence punishable under Section 306/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.05.2018 and has been falsely implicated in this case. No case is made out against the applicant regarding the commission of offence under Section 306 of the IPC. 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 on the basis of the statement given by the complainant against the applicant he has played a role which resulted in the commission of suicide of the deceased. Hence, 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. Deceased – Ashish Singh committed suicide on 12.4.2018. Co-accused – Neelam Singh has filed a complaint against the deceased regarding her sexual exploitation by him. The wife of the deceased has given a written complaint making allegations that co-accused Neelam Singh, Soni Singh and the applicant were continuously harassing and threatening the deceased to involve him in a false case of sexual exploitation and were making a demand of Rs.25,00,000/- from him and thus blackmailing him, because of which, the deceased has committed suicide.

6. Taking into consideration all the material present in the case-diary and without further commenting anything on merits, 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 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi