

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6382 of 2017

- Sarita Bhaskar D/o Chitrasen Bhaskar, Aged About 25 Years R/o Kharkena, Police Station Dabhara, District Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. Chandresh Shrivastava, Advocate.

For Respondent : Mr. Wasim Miyan, Panel Lawyer.

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

09/01/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.168/2017, registered at Police- Station-Mohan Nagar, District– Durg(C.G.) for the offence punishable under Sections 306, 376 & 109 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. There is no material in the record of the prosecution case to make out a case of abetment to suicide against the applicant. Applicant herself has not committed any offence. She is a student of Third Year B.A.M.S., she has a good case to defend herself, hence, it is prayed that she is entitled for grant of

regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the suicide note left by the deceased mentions, that applicant used to torture deceased on various occasions and also used to threaten the deceased in various occasions. Hence, the case is made out against the applicant because of which she is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the case against the applicant, co-accused and the deceased Jyoti Verma had illicit affair. Deceased committed suicide on 8.5.2017 leaving a suicidal note, it was mentioned in the suicidal note that applicant in company with the co-accused Shailendra Sharma had tortured the deceased, beaten and threatened her on some occasions. It on this basis that applicant had been made an accused in this case.
6. Considering on the submissions and contents of the case diary, taking into consideration the evidence that is proposed to be placed before the trial Court against the applicant, I am of this view that applicant deserves to be enlarged on regular bail.
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 her 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