

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7958 of 2017**

Bhekh Lal Sahu S/o Shriram Sahu Aged About 18 Years Wrongly
Mentioned As Shriman R/o Village Kamraod, P. S. And Tahsil Kurud
Dist. Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P S Kurud District Dhamtari
Chhattisgarh.

---- Respondent

For the Applicant : Shri Akhand Pratap, Advocate.

For the Respondent/State : Ms. K. Tripti Rao, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****28.02.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.34 of 2017, registered at Police Station – Kurud, Dhamtari, District – Dhamtari, Chhattisgarh for the offence punishable under Section 306 of the Indian Penal Code and Sections 3(1)(b) and 3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. The applicant had been juvenile on the date of incident i.e. 22.8.2015 when the deceased

Lukeshwari committed suicide. No case of abetment to commit suicide is made out against the applicant. Presently, the case is pending before the Juvenile Justice Board, Dhamtari. Hence, it is prayed that the applicant be benefited with grant of regular bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The case against the applicant is that the applicant and the deceased were students of the same class. The applicant used to write on the copy of the deceased about expressing his love for her because of which, the deceased got disturbed and committed suicide on 22.8.2015. Merg was registered immediately after the incident but the FIR was lodged on 23.1.2017 after passing of more than one year 4 months.

6. Considering the contents of the case-diary and the nature of the case, looking to the fact that the applicant is tried before the Juvenile Justice Board and the reason that is required to assign for not releasing on bail the applicant under the provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 has not been assigned by the concerned Courts below, I am of the considered view that in this case the applicant deserves to be enlarged 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 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 as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge