

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 103 of 2018

- Sameer Kumar Yadav S/o Harishchandra Yadav, Aged About 30 Years, Caste Mahkul, Occupation Student, R/o. Village Bachhraon, Tahsil Bagicha, District Jashpur Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Narayanpur, District Jashpur Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sudeep Verma, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-03-2018

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 20-09-2017 in connection with Crime No.71/2017 registered at P.S. Narayanpur, District Jashpur, Chhattisgarh for the offence under Section 306, 363 of the IPC, Section 17 of Juvenile Act, and Section 3 (2-5) of SC/ST (Prevention of Atrocities) Act.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated in this case. No case is made out against him on the basis of material present in the charge sheet filed against him. The applicant is in jail since 20-09-2017 and he is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be released on 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. The case against this applicant is this, that he used to torture deceased Rupa Kujur of age 17 years, that she was having illicit relationship with other boys, she was frustrated because of this allegation against her character. On

the date of incident, the applicant forcefully took the deceased with him saying that he loves her and thereafter she was found dead in jungle. In the inquest procedure it was found that the deceased has committed suicide, hence, this conclusion has been drawn in the investigation that the deceased committed suicide due to torture given by this applicant. Hence, this case.

6. Considering on the material present in the case diary and the facts that presently the case is before the trial Court and the trial is likely to take some time before its conclusion, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge