

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8085 of 2018**

Vivek Bagh S/o Rupendra Bagh, aged about 25 years, R/o- H. No. 171, Sector-2, Kashiram Nagar, Telibandha, P.S. Telibandha, District- Raipur (C.G.).

--- Applicant**Versus**

State of Chhattisgarh, Through: Police Thana- Vidhan Sabha, Raipur, District- Raipur (C.G.).

---- Respondent

For Applicant	:	Ms. Reena Singh, Advocate
For Respondent	:	Mr. Sangharsh Pandey, Dy. Govt. Adv.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**01/11/2018**

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 274/2018 registered at Police Station- Vidhan Sabha, Raipur, District- Raipur (C.G.) for the offence punishable under Section 306/34 of the IPC
2. As per prosecution story, on 16/06/2018 complainant- Prasanna Dubey lodged a report stating therein that his brother Prafful Dubey committed suicide by hanging himself. Merg intimation was lodged by the brother of the deceased. During merg investigation, one suicidal note written by the deceased was found, in which the deceased has stated that he is committing suicide due to misbehavior of Vikram Bagh, his mother, his father and brother. Thereafter, offence was

registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. There is nothing on record on the basis of which any offence under Section 306 of the IPC cannot be made against the present applicant. She further submits that in the suicidal note, there is no allegation against the present applicant. She further submits that the applicant is in custody since 01/08/2018 and trial will take time, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that in the suicidal note the name of the present applicant is not mentioned and no specific allegation against the present applicant has been mentioned, the applicant is in custody since 01/08/2018, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge