

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3985 of 2019

John Minj, S/o. Shri Israil Minj, Aged About 21 Years, R/o. Village Jagatgarhrojhi, P.S. Kelhari, Tahsil Manendragarh District Koriya Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Kelhari, District Koriya Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shakti Raj Sinha, Advocate
For Respondent/State	: Mr. Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/07/2019

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.79/2018, registered at Police Station – Kelhari, District – Koriya (C.G.) for the offence punishable under Section 306 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 07.03.2019. The suicide note, which was written on the left palm of the the deceased does not disclose that the applicant had given any abetment to commit

suicide to the deceased. Apart from that, charge-sheet in this case has been filed after completion of investigation and the case is now before the trial Court. Therefore, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Deceased Fulwati committed suicide by hanging herself on 13.10.2018. When the dead body was examined, in inquest it was found that the deceased had written on the palm of her left hand that the applicant is the person responsible for her death. Later on it has been reflected in the evidence of witnesses that the applicant used to pressurize the deceased to have illicit relation with him because of which she felt tortured and committed suicide. Hence FIR has been lodged against the applicant.
6. Considered on the submissions made and the contents of the case diary. After considering the entire material present in the case diary and for the reason that the case is now before the trial court pending for trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram