

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4598 of 2019**

Kariya @ Kaiya Dewar S/o Shri Rajendra Dewar, Aged About 16 Years (Wrongly Mention Age As 19 Years, Correct Aged Is - 16 Years,) As Per Aadhar - Card, Being Minor Represented Through His Father Rajendra Dewar, S/o - Kakd Dewar, R/o Ward No. 30, Naya Rawan Bhata, Police Station - Mahasamund, Tahsil And Civil And Revenue District Mahasamund Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station - Gobra - Nawapara, Civil And Revenue District And District Raipur Chhattisgarh.

---- Respondent

For the Applicant : Shri J.A. Lohani, Advocate.
For the Respondent/State : Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****21.08.2019**

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.234 of 2019, registered at Police Station – Gobra-Nayapara, District – Raipur, Chhattisgarh for the offence punishable under Section 306 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 25.6.2019 and has been falsely implicated in this case. No case is made out against the applicant regarding the commission of offence of abetment to commit suicide. Hence, it is prayed that the applicant be

enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that in the suicide note left by the deceased it is clearly mentioned that this applicant is the person responsible for the death of the deceased. Hence, no case is made out for grant of regular bail to the applicant.

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

5. According to the prosecution case, on 11.4.2018, deceased – Kavita had left suicide note which mentions that the applicant was responsible for her death.

6. Considering the fact that there is no specific allegation made in the suicide note or any other evidence present as to show that in what manner the applicant is responsible for the death of the deceased, hence, I feel inclined to grant bail to the applicant in this case.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge