

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2869 of 2021

1. Avi Gumber S/o Surendra Singh Gumber Aged About 22 Years R/o Ward No.08, Punjabipara, Bemetara, P.S. Tahsil And District Bemetara Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Bemetara District Bemetara Chhattisgarh

---- Respondent

For Applicant	Mr. Shivraj Singh, Advocate
For Respondent /State	Mr. Sudeep Agrawal, Dy. Adv.General
For Objector	Mr. Ashish Shukla, Advocate

(Proceedings through Video Conferencing)Order on BoardByPrashant Kumar Mishra, Ag. CJ27/7/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.637/2020, registered at Police Station Bemetara, District Bemetara (CG), for the offence under Section 306, 34 of the Indian Penal Code.

3. Applicant has allegedly abetted suicide of Harsh Chawla (since deceased), aged about 15 years, who jumped into Shivnath river on 31-10-2020 and consequently died.
4. As per material available in the case diary, a diary has been recovered from the school bag of the deceased wherein there is an endorsement containing signature of the present applicant evidencing receipt of Rs.2,000/- per day for about 13 days from 13-10-2020 to 25-10-2020.
5. When enquired as to what was the need for a 15 years boy to obtain loan from the applicant, learned counsel for the objector would submit that they were engaged in some kind of transaction relating to IPL (Indian Premier League) matches.
6. In addition to the above material, it is also reflected from the charge sheet that on the date of incident the brother of the applicant namely; Angad Gumber had called on the mobile phone of the deceased on number of occasions, which is available in the call details.
7. It is also argued by the learned counsel for the objector that three more crimes of committing extortion has been registered against the applicant.
8. *Per contra*, learned counsel for the applicant would submit that those three cases of extortion have been registered after registration of the present offence and the father of the deceased is instrumental in getting those crimes registered against the applicant.

9. Be that as it may, considering the pre-requisites and ingredients of abetment as defined under Section 107 IPC; as also for the fact the applicant is aged about 22 years and is in jail since 25-3-2021 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
10. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
11. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri