

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No.7844 of 2021**

- Santoshi Paikra, D/o Suduram Paikra, Aged About 23 Years,  
R/o - Davansara, P.S. - Jhilmili, District Surajpur, Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgarh Through The S.H.O, Police Station  
Jhilmili, District-Surajpur, Chhattisgarh

**---- Respondent**

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For Applicant  
For Respondent

Mr. G. P. Shukla, Advocate  
Ms. Seema Dixit, PL

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**Hon'ble Justice Shri Deepak Kumar Tiwari**

**Order On Board**

**26/10/2021**

1. The applicant has preferred this first bail application under Section 439 of CrPC for grant of bail, as he is arrested in connection with Crime No.57/2021, registered at Police Station Jhilmili, District Surajpur for the offence punishable under Sections 306, 384 & 388 of IPC.
2. The case of the prosecution in brief is that the applicant was threatening the deceased for implicating him in the false case of rape and for which he was demanding Rs.1 Lakh from the deceased, on account of which the deceased committed suicide by hanging himself.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the crime in question. He further submits that the applicant has not instigated the deceased to commit suicide and the FIR has also been lodged with a delay of around 3 months, therefore, the applicant may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, charge sheet has been filed, applicant is in jail since 06.07.2021 and the trial is likely to take sometimes, this Court is of the opinion that the present is a fit case to release the applicant on regular bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of ₹ 10,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, subject to following conditions:

(I) The applicant shall furnish a copy of Aadhar Card and full size coloured photograph at the time of bail.

(II) The applicant shall furnish a specific undertaking that while on bail, he will not commit

any excise offence, otherwise bail granted to him shall be liable to be cancelled and shall cooperate the prosecution during trial.

(III) The accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/ applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(IV) The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Sd/-  
Deepak Kumar Tiwari  
Judge

Nirala