

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 678 of 2015

Pramshankar Devangan S/o Late Sahebram Devangan Aged About 50 years R/o
Village Rakshapali, Police Station Bhupdevpur, Tah. - Kharsia, Distt. Raigarh
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Bhupdevpur, District Raigarh
Chhattisgarh.

---- Respondent

Shri Vineet Kumar Pandey, counsel for the applicant/s.
Shri Vinod Tekam, Panel Lawyer for the State.

Order On Board

05/08/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.103/15 registered at police station - Bhupdevpur, Raigarh, CG for alleged commission of offence under Section 306/34 of IPC.

2. Prosecution case is that one Devlal committed suicide by jumping in front of train. The allegation against the applicant is that a day before, the applicant had come to his house and threatened of dire consequences, if loan is not repaid.

3. Learned counsel for the applicant submits that even according to the prosecution case, the applicant did not even meet the deceased on 22/05/15. On that day, he met with the son of the deceased. The deceased left his house on the next day at about 4PM stating that he was going to meet the applicant and thereafter, his dead body was found. He submits that it cannot be said that it was a case of murder or accident.

4. On the other hand, learned State counsel submits that the proximity of the incident with the alleged threat by the applicant makes out a case of instigation.

5. Taking into consideration the material on record and the case diary and that the applicant did not meet the deceased nor the deceased exhibited any reaction on the next day and considering the submission that at present, it cannot be said that it is a case of suicide and it could be an accident, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the arresting officer on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the arresting officer with following further conditions that:

(i) the applicant shall make himself available for interrogation by the police officer as and when required;

(ii) the 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 from disclosing such facts to the Court or to any police officer;

Certified copy as per rules.

Sd/-
Manindra Mohan Shrivastava
Judge