

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 948 of 2015**

Prashant Agrawal S/o Late Somraj Agrawal Aged About 34 Years Chartered Accountant Bauripara Ambikapur, District Sarguja, Police Station Kotwali Ambikapur, Tahsil Ambikapur, Civil And Rev. Distt. Sarguja Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Kotwali, Ambikapur, Civil And Rev. Distt. Sarguja Chhattisgarh.

**---- Respondent**

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|---------------|---|-----------------------------------|
| For Applicant | : | Shri Mukesh Sharma, Advocate.     |
| For State     | : | Shri A.K. Swarnkar, Panel Lawyer. |

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**Order On Board**

**28/09/2015**

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.397/2015 registered at police station – Kotwali Ambikapur, District Sarguja for alleged commission of offence under Section 306, 34 of IPC.
2. Prosecution case is that the applicant entered into quarrel with Rajeev Ranjan Jaiswal, Income Tax Officer with regard to allotment of cases. Soon thereafter, the said officer committed suicide.
3. Learned counsel for the applicant submits that the allegations against the applicant do not perse constitute commission of offence of abetment to commit suicide. He submits that only allegation against the applicant is that the applicant had quarreled with deceased with regard to allotment of cases that by itself, does not satisfy the ingredient of abetment as defined under Section 107 IPC.
4. On the other hand, learned counsel for the State opposes prayer and submits that even though in the suicidal note, no specific overt act alleged against the applicant, in the

diary statement, it has come that the applicant had quarreled with the deceased officer with regard to allotment of cases.

5. Taking into consideration the submission of learned counsel for the parties and that there is no ingredient of abetment against the applicant as defined under Section 107 IPC, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that he 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.
- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

**Manindra Mohan Shrivastava**

**J U D G E**