

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 570 of 2015

Sanjay Kumar Sahu Aged About 35 years S/o Ganesh Ram Sahu R/o Zora Para P.S.
- Kotwali. Distt. Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through P.S. New Rajendra Nagar, Civil & Revenue District
Raipur Chhattisgarh

---- Respondent

For Applicant	:	Shri Devershi Thakur, Advocate
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer

Order On Board

04/08/2015

Heard.

This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.62/2015, registered in Police Station- New Rajendra Nagar, District -Raipur, for alleged commission of offence under Section 306 of the IPC.

Learned counsel for the applicant submits that only on suspicion that the applicant had some connection with the deceased, offence under Section 306 of the IPC has been registered. He submits that except saying that the applicant is responsible for deceased committing suicide in her suicidal note, nothing else has been mentioned so as to prima facie make out a case of abetment under Section 107 of the IPC. The police has also not collected any material so far to prima facie indicate any abetment by the applicant.

On the other hand, learned counsel for the State submits that in the suicidal note, the deceased has stated that for her death, the applicant is responsible. This prima facie shows that the applicant has done some act which resulted in commission of suicide by the deceased. It is submitted that investigation is still going on.

Taking into consideration the submission made by learned counsel for the parties, considering the nature of allegation, contents of suicidal note and that so far, no other material has been collected and the applicant does not appear to be habitual offender or in a position to adversely affect the progress of investigation, I am inclined to allow the application.

The application is accordingly 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 by the

arresting officer 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 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