

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4697 OF 2015**

Satyendra Singh S/o Vasudev Singh Thakur, aged about 55 years,
Occupation Servant R/o Mitthumuda, Raigarh, P.S. Kotwali, Raigarh, Tahsil &
Civil & Revenue Distt. Raigarh (C.G.)

---Applicant

Versus

State of Chhattisgarh, through Station House Officer Police Station Kapu,
Distt. Raigarh (C.G.)

---Non-applicant

For Applicant	:	Mr. Avinash Singh, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 77/2015, registered at Police Station Kapu Distt. Raigarh (C.G.), for the offence punishable under Section 306/34 of I.P.C.

2. Case of the prosecution, in brief, is that, on account of abatement/instigation extended by present applicant, deceased Murli Singh Rathiya committed suicide between 24/07/2015 to 29/07/2015.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that deceased-Murli Singh Rathiya had taken loan from M/s. SRS Tractors Pvt. Ltd. in the month of October-2013 for purchasing a tractor and the applicant being a recovery agent has contacted with the deceased for recovery of loan against tractor. He would further

submit that applicant has no role to instigate Murli Singh Rathiya for committing suicide and co-accused namely Brindawan Yadav has been granted anticipatory bail by the co-ordinate Bench of this Court in M.Cr.C.(A) No. 886/2015 vide order dated 11/09/2015. He would lastly submit that applicant is in jail since 12/08/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose 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; further taking into consideration the nature and gravity of offence; role of the present applicant as a recovery agent; pretrial detention of the applicant and also considering the extent of nexus and proximity between conduct and behavior of the accused with suicide committed by the deceased, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE