

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 510 of 2016

1. Smt. Pramila Hedau, W/o. Shri Tilakdas Hedau, aged about 47 years,
2. Tilak Das Hedau, S/o. Late Tekchand Hedau, Occupation- Service Sub-Engineer (Water Resources Department), aged about 57 years,

Both R/o. Ushlapur, P.S. Civil Line, Bilaspur, Tahsil and District – Bilaspur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : its Station House in-charge, Chowki Mangla, P.S. -Civil Line, Tahsil & District – Bilaspur (C.G.)

---- Respondent

For Applicants	: Mr. Sourabh Sharma, Advocate
For Respondent/State	: Mr. O.P. Sahu, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/07/2016

1. Apprehending arrest in connection with Crime No.177/2016 registered at Police Station- Civil Line (Chowki Mangla), District – Bilaspur (C.G.), for offence punishable under Section 306/34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, both the applicants had obtained housing loan and given the construction work to the deceased, Suresh Dewangan and Rs.34,06,000/- was paid. Thereafter, some dispute arose about the rest of the payment as the deceased left some of the job to be completed and demanded Rs.3.00 lakhs and due to the dispute, the deceased committed suicide.

3. Learned counsel for the applicant would submit that the applicants have been falsely implicated in this case and they have not abetted the deceased to commit suicide and only on the basis of the note which confirms that certain dues are outstanding, the deceased committed suicide and therefore, the same can not be attributed to the applicants, therefore, the counsel prays that the applicants may be extended the benefit of anticipatory bail.
4. Per contra learned State counsel opposes the application for grant of anticipatory bail.
5. Perused the case diary and the documents. The case diary also contains the suicide note which shows that certain dues were not paid, which resulted into dispute. Considering the facts and the circumstances of the case, this Court is inclined to extend the benefit of anticipatory bail to the applicants.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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;
 - (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge