

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 318 /2016

Lakhan Sai, S/o. Shri Sukhdeo, Aged About 20 Years, R/o. Gram Jagarnathpur, Thana Pratappur, District Surajpur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Pratappur, Chouki Khadagaon, District Surajpur (Chhattisgarh).

---- Respondent

For Applicant : Mr. Anurag Dayal Shrivastava, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/04/2016

1. Apprehending arrest in connection with Crime No.18 of 2016 registered at Police Station- Pratappur, District Surajpur (C.G.) for the offence punishable under Section 306 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, one Anjali committed suicide by consuming poison on 11.11.2015. It is the case of the prosecution that the applicant was in love relation with the deceased and was sexually exploited, however, when she was married, after such marriage, some dispute occurred between the deceased and her sister because of the relation with this applicant and thereafter the deceased committed suicide.
3. Learned counsel for the applicant would submit that the deceased was in love relation with the applicant, however, she was married to some one else and thereafter she never wanted to go to her matrimonial home, however, she was pressurized by her sister,

therefore, she committed suicide. He further submits that the applicant has not abetted the deceased to commit suicide, therefore, he may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the statement of the sister of the deceased Pushpa Ekka, which shows that the deceased was in relation with the applicant and was married to some one else and thereafter she committed suicide. Taking into such statement, I am inclined to release the applicant on anticipatory bail. Accordingly, the anticipatory bail 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 officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that 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/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant 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/-
(Goutam Bhaduri)
Judge