

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 382 /2016

Anuj Bhatt, S/o. Ghanshyam Bhatt, Aged About 27 Years, R/o. Vinoba Nagar, Dipupara, P.S. Tarbahar, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Incharge, Police Station- City Kotwali, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Abdul Wahab Khan, Advocate.

For Respondent : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/04/2016

1. Apprehending arrest in connection with Crime No.132/2016 registered at Police Station- City Kotwali, Bilaspur, District Bilaspur (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 Divya Tiwari committed suicide by hanging on 10.01.2016. It is the case of the prosecution that the applicant and the deceased Divya were in love relation and they were to marry; subsequently, the applicant refused to marry with the deceased and as such she committed suicide by hanging.
3. Learned counsel for the applicant submits that no abetment has been caused by this applicant to commit suicide and therefore the applicant may be enlarged on bail.
4. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail.

5. Perused the case diary and the statement of the father of the deceased wherein it is stated that the deceased was in love relation with the applicant and the applicant refused to marry as such she committed suicide. Considering the nature of allegation, this is a fit case to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and 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