

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 458 of 2016**

1. Sanjay Kumar Kushwaha S/o Tularam Aged About 40 Years  
R/o Village Khairi, Post Station Patna, Civil & Revenue  
District Korea, Chhattisgarh.
2. Rajeshwari W/o Sanjay Kumar Aged About 30 Years R/o  
Village Khairi, Police Station Patna, Civil & Revenue District  
Korea, Chhattisgarh. --- **Petitioners**

**Versus**

- State of Chhattisgarh through Station House Officer, Police  
of Police Station Patna, District Korea, Chhattisgarh.

---- **Respondent**

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For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.Govt. Adv

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**12-05-2016**

1. Apprehending arrest in connection with Crime No.29/2016 registered at Police Station- Patna, District – Korea (C.G.), for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, one Ramchandra Kushwaha committed suicide by hanging on 17.10.2015 and it was the allegation that on account of election dispute, the applicants used to humiliate the deceased Ramchandra as a consequence thereof abetted the deceased to commit suicide.
3. Learned counsel for the applicants would submit that false allegations have been levelled against the applicants since the incident was of 17.10.2015 and the deceased was also related and because of election, some dispute arose

between the deceased and the applicants and their family members, which can not be stated to be an abetment to commit suicide, 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 statement of Renu Kushwaha and Kanti Bai Kushwaha, the wife and mother of the deceased. After going through the statements of the witnesses, without any observation on merits, 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 each of them 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 herself 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 her by the said Court till disposal of the trial.

Certified copy as per rules.

**Sd/-  
(Goutam Bhaduri)  
Judge**

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