

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M. Cr. C. (A) No. 100 of 2017**

Vedanti Tiwari S/o Bhaganna Tiwari, aged about 44 years, Occupation Cultivator, R/o Mahora, Police Station Patna, District Koriya Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh through the Station House Office, Police Station Chandaura, District Surajpur Chhattisgarh

---- Respondent

For Applicant	:	Shri Vijay Kumar Sahu, Advocate
For Respondent/State	:	Shri Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19/05/2017**

The present application under Section 438 of Cr.P.C. has been filed seeking for grant of anticipatory bail to the applicant apprehending his arrest in connection with Crime No. 14/2011 registered at P.S. Chandaura, District Surajpur (CG) for the offence punishable under Sections 306, 507/34 of IPC.

2. The allegation against the present applicant as per the prosecution is that the applicant along with other accused persons is said to have abetted the deceased Ashutosh Tiwari to commit suicide. According to the prosecution, it is a case where deceased Ashutosh Tiwari was having affair with the daughter of co-accused Mukesh Choubey namely Ku. Nisha Choubey. It is said that on 01.01.2011 the deceased took the girl Ku. Nisha on his motorcycle to a different village where they stayed for a couple of days. Subsequently, father of the girl came there along with other accused persons, abused the deceased and took the girl forcibly from his company. Later on, it is said that the deceased was found hanging on a tree in the jungle.

3. The only material in the case diary against the present applicant is a suicide note of the deceased which reflects that the present applicant and the

other accused persons are responsible for forcibly taking away the girl with whom the deceased was having affair for which he committed suicide.

4. Taking into consideration the total facts and circumstances of the case, this Court is of the opinion that prima facie, a strong case for grant of anticipatory bail has been made out.

5. In the result, the application u/s 438 Cr.P.C. is allowed. It is directed that in the event of arrest of the present applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the Officer arresting him or the Court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicant shall make himself available for interrogation before the concerned 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.

Sd/-
(P. Sam Koshy)
Judge