

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr. C(A) No. 811 of 2017

- Krishna Pal Ram S/o Late Shri Pilchu Ram, Aged About 57 Years R/o Village Neelkanthpur, P S Kusmi, Balrampur, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Kusmi, Balrampur, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Shrivastava,
Advocate

For Respondent/State : Mr. Neeraj Jain, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.11.2017

1. Apprehending arrest in connection with Crime No.62/2017 registered at Police Station- Kusmi, Balrampur, District – Balrampur Ramanujganj, Chhattisgarh, for offence punishable

under Section 306/34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. As per the statements given by the witnesses no role can be attributed to the applicant about giving any abetment to the deceased for committing suicide. The applicant is a local resident of District – Balrampur Ramanujganj, Chhattisgarh and he is ready to abide by all the conditions which may be imposed while granting bail to the applicant. Hence, the applicant prays for grant of anticipatory bail.
3. Learned counsel for the State opposes the bail application and the submission made in this respect.
4. It is submitted that there are clear statements of the witnesses that on the date of incident the applicant was present when the allegation leveled against the deceased doubting on her character and the applicant supported his son Ravindra Bunkar, who was making such allegation. Hence, it is a clear case of abetment and no case is made out for grant of anticipatory bail.
5. I have heard the learned counsel for the parties and perused all the documents placed on record.
6. The marriage of co-accused Ravindra Bunkar and deceased Usha was performed about 10-12 years prior to the date of incident. At the relevant point of time, deceased had been to her parental home for getting some kind of treatment. The co-accused Ravindra Bunkar had been torturing the deceased

prior to this incident alleging that she was having illicit relationship with a person, namely, Ashish @ Pinku Uroan. On the date of incident i.e., 15.06.2017, co-accused Ravindra Bunkar alongwith the applicant came to the place of his in-laws, called a meeting and made allegation against his wife - the deceased that she was having relationship with Ashish @ Pinku Uroan and as such he does not want to have her as his wife anymore. The applicant was present there and supported his son. Subsequent to that meeting the deceased committed suicide in her paternal home by hanging herself.

7. Considering the submissions made, the contents of the case diary and nature of the statements of the witnesses against the applicant, this Court is of the opinion that this is a fit case, where the applicant deserves to be benefited with grant of anticipatory bail.
8. 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 offences, he shall be released on bail by the officer arresting him 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 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.

Sd /-

(Rajendra Chandra Singh Samant)

Judge