

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 36 of 2018**

Dr. P. Venkat Veena, Son of Shri P. Narsimha, Aged About 31 Years, R/o. Quarter No. C-2/137, Centenary Colony Ratanpur, District Pedapali, Telangana.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station -Tarbahar, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Surfaraj Khan, Advocate
For Respondent/State	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****05/04/2018**

1. Apprehending arrest in connection with Crime No.355/2017, registered at Police Station – Tarbahar, Bilaspur, District – Bilaspur for offence punishable under Section 306 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant for abetment of suicide. The deceased has committed suicide of her own frustration. The applicant is ready to abide by all the conditions while releasing him on anticipatory bail. Therefore, it is prayed that, the applicant may be benefited with grant of anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of anticipatory bail and the submission made in this respect. It is submitted that the statement given by the witness in this case shows that accused/applicant was the person, who conducted himself in such manner that resulted in abetment and because of this abetment, the deceased has committed suicide. Therefore, no case is made out for grant anticipatory bail to the applicant.
4. I have heard the learned counsel for the parties and perused the case diary and the documents.
5. The case against the applicant is this that applicant was married to the deceased one year prior to the date of incident. As the applicant was unemployed, he used to demand money from the wife, the deceased on various occasions and also harassed her on various pretext. On the date of incident, this applicant and his wife, the deceased had quarrel between them and subsequent to that the deceased consumed Eucalyptus oil that resulted in her death. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Commission of suicide by the deceased was abetment shall be determined by the trial Court, but for the present, this Court is of the opinion that it is a fit case, where the applicant should be extend the benefit of Section 438 of Cr.P.C.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge