

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 553 of 2018**

Gouri Shankar Sahu S/o Late Janak Ram Sahu Aged About 50 Years
Occupation Material Supplier, R/o- Near Village Sakarra, Tahsil
Malkharouda And District- Janjgir Champa, District- Janjgir-Champa,
CG.

---- **Non-applicant****Versus**

State of CG through- The Station House Officer, Police Station
Malkharouda, District- Janjgir Champa, CG.

---- **Respondent****MCRCA No. 559 of 2018**

Teklal Gabel S/o Sant Ram Gabel Aged About 42 Years Occupation-
Janpad Upadhyaksha, R/o- Near Village Darrabhatha, Tahsil
Malkharouda And District- Janjgir Champa, CG

---- **Non-applicant****Versus**

State of Chhattisgarh Through- the Station House Officer, Police
Station Malkharouda, District- Janjgir Champa, CG

---- **Respondent****MCRCA No. 602 of 2018**

Rameshwar, S/o Acche Kumar Aged About 35 Years R/o- Village
Amandula P.S. And Tahsil Malkhrouda, Civil And Revenue District-
Janjgir-Champa, CG

---- **Non-applicant****Versus**

State of Chhattisgarh through- The Station House Officer, Police
Station Malkhrouda, Civil And Revenue District- Janjgir-Champa, CG

---- **Respondent**

Mr. Sarfaraj Khan, Adv. for applicants Gouri Shankar and Teklal Gabel.
Mr. Sunil Otwani, Adv. for applicant Rameshwar.
Mr. Maneesh Nigam, PL for the State.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****23-8-2018**

1. As MCRCA No. 553/2018, MCRCA No. 559/2018 and MCRCA No. 602/2018 arise out of the same crime number of same police station, they are being disposed of by this common order.
2. The applicants have preferred these applications under Section 438 of the CR.P.C. as they apprehend their arrest in connection with Crime No. 101/2018 registered in Police Station Malkharouda (CG) for

offence punishable under Section 306, 34 of the IPC.

3. In brief, prosecution case is that deceased Rohitas is the resident of village Malkharouda. The applicants were harassing the deceased by saying that he is a burden on his father and his life is useless, as a result of which deceased Rohitas committed suicide by hanging himself between 7-2-2018 and 8-2-2018. The father of the deceased had taken a loan from applicants Gourishankar and Rameshwar. To get back the loan amount, the appellants purchased a house and land from father of the deceased but did not give him amount of real consideration.
4. Mr. Sarfaroj Khan, Adv. for the appellant Gouri Shankar and Teklal Gabel placed reliance on a decision of High Court of Madhya Pradesh in the matter of **Prakashchand -v- State of M.P.** [2007 (1) CGLJ 9].
5. Looking to the facts and circumstances of the case, in the opinion of this Court, the applicants do not get any help from the aforesaid judicial precedent of **Prakashchand** (Supra) as these matters relate to anticipatory bail.
6. Looking to the facts and circumstances of the case, this Court is not inclined to grant benefit of Section 438 of the Cr.P.C. to the applicants.
7. Consequently, all the three anticipatory bail applications are rejected.

Sd/-
(Sharad Kumar Gupta)
Judge