

HIGH COURT OF CHHATTISGARH AT BILASPUR

(SB : Hon'ble Mr. Justice Ram Prasanna Sharma)

MCRCA No. 652 of 2018

- Santosh Kumar Sahu S/o Shri Jagdish Prasad Sahu Aged About 28 Years R/o Village Dhangaon Gosai, Police Station Jarhagaon, Tehsil And District Mungeli, District Mungeli, Chhattisgarh., At Present R/o Ekta Nagar, Mana Camp, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant.

Versus

- State of Chhattisgarh Through Police Station Fasterpur, District Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Mr. D.K. Gwalre and Mr. Keshav
Dewangan, Advocates.

For State : Mr. Sameer Behar, Dy. G.A.

Order on Board

(Passed on 10-07-2018)

1. The applicant has preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 35 of 2018 registered in Police Station Fasterpur, Distt.Mungeli (CG), for offence punishable under Sections 306 and 498-A read with Section 34 of the IPC.
2. The case of the prosecution, in brief, is that the deceased Smt. Pushpa who was married to Bhagatram died of burn injuries on 30-3-2018 at night. It is alleged that the present applicant harassed her and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant is a regular employee of Chhattisgarh Armed Force and presently posted at Mana, Raipur, whereas the incident took place at village Silli, District Mungeli and the present applicant has no role to play in commission of the offence, therefore, anticipatory bail may be granted to him.
4. On the other hand, learned counsel appearing for the State, opposed the bail application.
5. Looking to the fact that the applicant is a regular employee of the State Government, posted at Mana, Raipur and he is a distant

relation with the husband of the deceased, I am of the considered opinion that *prima facie* it is a fit case where applicant can be extended the benefit of anticipatory bail.

6. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the Officer arresting him and he shall abide by all the following terms and conditions:

- (i) that the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
- (ii) that the accused/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 accused/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/-

(Ram Prasanna Sharma)

Judge

Raju