

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 733 of 2018

Manoj Rajwade S/o Dashru Rajwar Aged About 32 Years R/o
Village Narmadapara, Chikhladih, Police Station Gandhinagar,
District Surguja Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Gandhinagar, District Surguja Chhattisgarh

---- Respondent

For applicant – Shri Ajay Kumar Pandey, Advocate.
For Respondent/State – Shri Ashish Shukla, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

02/07/2018

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 117/2018 registered at Police Station Gandhinagar, District Surguja (C.G.) for offence punishable under Section 306 of IPC.
2. As per the prosecution case, one Sampet Bai committed suicide by consuming poison on 16/06/2016. It is alleged that the applicant used to sexually exploit her and was pressuring her for further continuation of sexual relation. Consequently, the deceased committed suicide which was abetted by the applicant as such.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, there is no evidence on record to show that the applicant used to sexually exploit her or abetted the offence, therefore the applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary. The incident is of 2016 and in initial merg

statement no allegation appears to exist. The FIR was registered on 23/05/2018. Taking into such fact, I am inclined to extend benefit of anticipatory bail to the applicant.

6. 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 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 local 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) 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/-

(Goutam Bhaduri)
JUDGE