

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case (A) No. 814 of 2018

- Taman @ Toman Lal Sahu S/o Itwari Ram Sahu Aged About 26 Years R/o- Rohansi, Police Station And Tahsil Palari, Civil And Revenue District- Baloda Bazar- Bhatapara, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.- Kasdol, Civil And Revenue District- Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Adil Minhaj and Shri Pragalbh Sharma, Advocates
For Respondent/State	: Shri Sanjeev Pandey, Govt. Advocate
For Objector	: Shri Suresh Verma, Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

30/8/2018

1. Heard.
2. This is an application filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the applicant, who is apprehending arrest in connection with Crime No. 163/2018, registered at Police Station Kasdol, District Baloda Bazar(CG) for the offence punishable under Section 306 of the IPC.
3. The allegations against the present applicant are that there was no quarrel between the deceased Alok Yadav and the applicant on 15.9.2017 at about 10.00 pm at Ajar Chowk, Kasdol and false report was made by the applicant that is why the deceased committed suicide.
4. Learned counsel for the applicant submits that there was quarrel between the applicant and the deceased and he reported

the matter to Police Station and on medical examination injuries were found on his body, therefore, it is a case where offence under Section 306 IPC is made out.

5. On the other hand, learned counsel for the Objector and State opposed the bail application and submit that the applicant has committed abetment to suicide, therefore, it is not a fit case to grant anticipatory bail to the applicant.

6. Taking into consideration the entire fact that there was quarrel between the applicant and the deceased and the applicant reported the matter against the deceased and further considering that the present applicant did nothing except reporting the matter to the Police, present is a fit case to grant anticipatory bail to the applicant.

7. Accordingly, the bail application filed under Section 438 Cr.P.C. 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.20,000/- with one surety in 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 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.
- (v) if there is any change of address of the applicant, he will immediately inform the Investigating Officer regarding his change of address.

Sd/

(Ram Prasanna Sharma)
JUDGE