

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1031 of 2018

- Vicky Gupta @ Vikas Gupta S/o Rajendra Gupta Aged About 29 Years R/o Old Basti Pendra Tahsil Pendra District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Yogendra Chaturvedi, Advocate.

For Respondent : Mr. Rahul Tamaskar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/09/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.257/2018 registered at Police Station- Pendra, District – Bilaspur(C.G.), for the offence punishable under Section 306, 34 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. According to the material present in this case, no case is made out of offence of abetment to commit suicide. Hence, it is prayed that he may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. Deceased Sanket Keshri committed suicide on 17.7.2018 by hanging himself. On the very next day, father of the deceased made a complaint to the police alleging, that this applicant and the co-accused persons was pressurizing and torturing the deceased to make refund of the amount borrowed by him. Hence, this case.
6. After due consideration of entire material present in the case diary, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application of applicant 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 his executing a personal bond in the 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha