

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1033 of 2018

- Shailesh Verma S/o Suresh Chand Verma Aged About 46 Years R/o- Kanchanganga Parisar, Kabir Nagar, Raipur, P.S. Kabir Nagar, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer Gudiyari (Police Chouki- Ramnagar), Revenue And Civil District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Surfaraj Khan, Advocate.
For Respondent : Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/09/2018

1. This is the second bail application filed by the applicant under Section 438 of the Code of Criminal Procedure, 1973. His first application was dismissed as withdrawn.
2. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.203/2018 registered at Police Station-Gudiyari(Police Chouki-Ramnagar), District – Raipur(C.G.), for the offence punishable under Section 306 of the Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant and the

deceased Aakash Naidu were partners in business, as both of them had borrowed amount from various persons and had suffered loss in the business, because of which the deceased to escape from his liability to repay the borrowed money to the lenders has committed suicide leaving the applicant in dire straits, hence, no case is made out of abetment to commit suicide. Hence, it is prayed that he may be released on anticipatory bail.

4. Learned State counsel opposes the bail application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. The case against this applicant is this, that this applicant had borrowed amount of Rs.20 lakh from the deceased and he has failed to repay the same, and also refused to repay the same, because of which deceased got depressed and committed suicide by hanging himself on 19.9.2016.
7. After considering the entire material present in the case diary, I am of this view that this is a fit case where the applicant should be benefited with grant of anticipatory bail.
8. 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