

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 1190 of 2018**

- Hirdaya Jaiswal S/o Shri Radhe Jaiswal Aged About 38 Years R/o Village - Sulesha, P.S. - Bagicha, Police Chowki Pandrapath, District - Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station - Bagicha, District - Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. A. N. Pandey, Advocate.  
For Respondent/State : Mr. Vijay Bahadur Singh, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**05/10/2018**

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.106/2018 registered at Police Station-Bagicha, District – Jashpur(C.G.), for the offence punishable under Section 306/34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case according to the material collected in the investigation, no case is made out against him regarding the commission 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 the submissions made in this respect.
4. Heard the parties and perused the case diary.
5. According to the case against the applicant, deceased Krishna Ram had love affair with co-accused Jaishree because of which it is alleged that this applicant and the co-accused person assaulted and thrashed the deceased causing him injuries, subsequent to which the deceased consumed some poisonous substance and committed suicide. Hence, this case.
6. Considered on all the material present in the case diary, I am of this view that this is a fit case where applicant should be released on anticipatory bail .
7. 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 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 them by the said Court till disposal of the trial.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge

Nisha