

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 976 of 2017

- Chinmay Pradhan S/o Sitaram Pradhan, Aged About 26 Years, R/o Village And Post Kusmi, District Korapur, Orisa., Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mohdhapara, District Raipur, Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicant – Shri Kashif Shakeel, Advocate.

For Non-applicant/State – Shri Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-02-2018

1. Apprehending arrest in connection with Crime No.180/2017, registered at Police Station – Mohdhapara, District Raipur, Chhattisgarh for offence punishable under Section 306 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No offence is made out against him under Section 306 of the IPC. The suicide letter left by the deceased itself shows that the deceased was unhappy with her mother, father and sister-in-law. The applicant has not committed any kind of act which can be regarded as abetment to commit suicide. The applicant is ready to abide by all the conditions imposed on grant of bail. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the non-applicant/State opposes the application and the submission made. It is submitted that the suicide note of the deceased clearly mentions that she and this applicant had love affair and the deceased felt cheated when she came to know about some previous affair of this

applicant, because of which, she was very much depressed, which led to her commission of suicide. Hence, there is sufficient material against this applicant, therefore, he is not entitled for grant of anticipatory bail.

4. I have heard the learned counsel for the parties and perused the case diary.

5. Deceased Bhanumati Behara came to Raipur and checked-in hotel Sona Palace on 16-08-2017 and thereafter she committed suicide by hanging herself in the rented room on the same day leaving a suicide note behind. Merg was registered and after inquest procedure, FIR has been registered against this applicant for the offence of abetment to commit suicide.

6. Considered on the submissions made and contents of the case diary.

7. The material in the case diary shows, that the applicant was not present at the time when the deceased committed suicide and contents of the suicide letter also disclose that the deceased was frustrated and depressed because of the various circumstances in her life. Taking into consideration all the material available in the case diary, I am of this view that the applicant should be benefited with grant of anticipatory bail in the present matter.

8. Accordingly, the anticipatory bail application is allowed. 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 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge