

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1453 of 2018

- Rukani Bareth W/o Bharat Lal Bareth Aged About 30 Years
Occupation- Service, R/o Village Tarkela, Arakshi Kendra - Jutmill
Chouki, Tahsil And District - Raigarh, Chhattisgarh., District : Raigarh,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Arakshi Kendra - Jutmill Chouki, Police
Station - City Kotwali Raigarh, Tahsil And District - Raigarh,
Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr.Vineet Kumar Pandey, Advocate.
For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

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

14/12/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.1293/2018 registered at Police Station-Arakshi Kendra-Jutmill Chouki. P.S.-City Kotwali, Tahsil-Raigarh, District – Raigarh(C.G.), for the offence punishable under Sections 306 of the Indian Penal Code (for short 'IPC') & 3(2)(V) of the SC/ST Prevention of Atrocities Act.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant, according to the evidence present in the case diary. The

offence of threatening and unlawful demand of money that may be made out according to the contents of the suicidal note, but that does not amount to abetment for committing suicide. Further, the offences under SC/ST Atrocities Act have also been erroneously registered against the applicant as the applicant herself belongs to scheduled Caste, hence, it is prayed that she may be enlarged on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that the contents of suicide note show serious allegation against the applicant, therefore, she is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. The case against the applicant is this, that this applicant threatened the deceased Sarita Lahre by alleging that she was engaged in telephonic conversation with some unknown boy, hence, if she does not pay Rs.10,000/-, then she will defame her. The deceased got harassed and after writing a suicide note committed suicide.
6. After perusing the contents of the case diary, it appears that the allegation regarding abetment of committing suicide is yet to be investigated. Hence, for the present, I am of this view that this is a fit case where the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants 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