

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1585 of 2018

1. Mohd. Yasir S/o Abdul Hamid, Aged About 28 Years, R/o Pendra, Police Station Pendra District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Salman Khan @Shalu S/o Dilwar Khan, Aged About 25 Years, R/o Pendra, Police Station Pendra District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

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

---- Non-applicant

For Applicants – Shri Achyut Tiwari, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-12-2018

1. Apprehending arrest in connection with Crime No.257/2018, registered at Police Station –Pendra, District Bilaspur, Chhattisgarh for offence punishable under Section 306/34 of the IPC, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicants that the applicants have been falsely implicated in this case. Looking to the contents of the FIR and the statement of the witnesses, no case is made out for abetment of committing suicide by the deceased. Similarly placed co-accused Vicky Gupta @ Vikas Gupta has been granted anticipatory bail by this Court in MCRCA No.1031/2018 vide order dated 13-09-2018. Hence, it is prayed that this applicant may also be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. Deceased Sanket Keshari has committed suicide on 17-07-2018 by hanging himself. Father of deceased, Rajendra Keshari has made a written

complaint to the police alleging that this applicant and other co-accused persons were pressurizing the deceased to refund the amount borrowed from them. Hence, this case.

6. After considering the entire material present in the case diary, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them 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. These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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 they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge