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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 60 of 2019**

Ramesh Batra S/o Late Laxmandas Batra Aged About 48 Years R/o Gandhi Chowk, Tilda- Neora, Police Station And Tahsil- Tilda- Neora, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station- Tilda- Neora, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Bharat Lal Dembra, Advocate.
For the Respondent/State : Shri Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****29.01.2019**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 435 of 2018, registered at Police Station – Tilda Neora, District Raipur, Chhattisgarh for the offences punishable under Section 306 of the Indian Penal Code.

3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Deceased – Kamini Dandekar was an employee of this applicant who had

already left the job for being dissatisfied with the behavior of this applicant. On the day when she committed suicide, she was not in the employment of this applicant. No contents appear about any misbehavior extended by this applicant to her. Apart from that, according to the FIR lodged and the statements given, no case is made out regarding commission of offence of abetment to commit suicide. Hence, it is prayed that the applicant be enlarged on anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. Deceased – Kamini Dandekar was an employee of this applicant. There are allegations in the material present in the case-diary that this applicant used to misbehave and harass the deceased because of which, she had left the job. On the date of incident, she was not an employee of the applicant and her dead body was found somewhere else. The deceased committed suicide on 2.10.2018 by hanging herself and no suicidal note has been left by her.

7. After considering the entire material in the case-diary, I feel inclined to grant anticipatory bail to the applicant.

8. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is allowed.

9. 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 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 them 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