

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 4 of 2019**

Rajesh Singh Rana S/o Shri Ajit Singh Rana Aged About 37
Years Occupation- Presently Posted as Director, Woman & Child
Development, Secretariat, Mahanadi Bhawan, Naya Raipur &
Resident of D- 62, City of Dream, Kachna, Raipur, District :
Raipur, Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police
Station Narayanpur, District- Narayanpur, Chhattisgarh. ---
Respondent

For the applicant : Mr. Rajeev Shrivastava, Advocate.
For the State : Mr. Chandresh Shrivastava, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.01.2019

1. Apprehending arrest in connection with Crime No. 15/2014 registered at Police Station Narayanpur, Distt. Narayanpur for the offence punishable under section 306 read with section 34 IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, one R.P. Soni who was working as Executive Engineer under the control of present applicant committed suicide by setting himself on fire on 16.08.2012. At the relevant time, the present applicant was posted as Chief Executive Officer, Zila Panchayat, Narayanpur. Therefore an official communication was made and thereafter it is alleged that the applicant and others have abetted the victim to commit suicide.

3. Learned counsel for the applicant would submit that the closure report filed before the trial Court was rejected by order dated 06.11.2017, against which the revision was preferred which also stands rejected by the Sessions Court vide order dated 23.07.2018. He submits that thereafter the applicant has filed Cr.M.P.No.2370/ 2018 wherein by order dated 30.11.2018 the coordinate Bench of this Court has directed that no coercive steps shall be taken against the petitioner in pursuance of Criminal Case No.200/2017 pending before the JMFC, Narayanpur till the next date of hearing. It is next contended that earlier charge sheet was filed before the trial Court and even after filing of the charge sheet , the closure report was filed by the police which is not exhibited by the Court, therefore, the criminal case against the petitioner has surfaced. It is stated that when the applicant appeared before the Court the trial Court observed that the closure report do not include the stay of arrest, only it is about the manhandling. Learned counsel for the applicant prays that under the circumstances the applicant may be enlarged on anticipatory bail.
4. Perused the documents annexed to the bail application. Copy of the Cr.M.P., is also attached wherein the entire documents including the charge have been placed.
5. Perused the order passed on 30.11.2018 in Cr.M.P. 2370/2018 wherein this Court has passed the interim order and directed that no coercive steps shall be taken against the petitioner pursuant to Criminal Case

No.200/2017. After perusal of the entire documents and the charge sheet, it appears that no further investigation would be necessary, therefore, I am inclined to allow this petition.

6. Accordingly, the 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 officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-

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

C.c. as per rules.

**GOUTAM BHADURI
JUDGE**