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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 423 of 2019**

Rajendra Kumar Thakur, S/o. Shri Ram Prasad Thakur, Aged About 40 Years, R/o. Village Shivnandanpur, Main Road Ward No. 20, P. S. Bishrampur, Tahsil and District Surajpur Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : P. S. Jainagarh, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Prafull N. Bharat, Advocate with Mr. Jitendra Shrivastava, Advocate
For Respondent	: Mrs. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****27/03/2019**

1. Apprehending arrest in connection with Crime No.38/2019, registered at Police Station – Jainagar, District – Surajpur (C.G.) for offence punishable under Section 306 of the Indian Penal Code, 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 case is made out against the applicant for commission of offence of abetment to commit suicide. In the suicide note, the deceased has written that he had purchased the motor cycle from the show room of this applicant and he is unable to repay the installments of the same, therefore, he is distressed and committing suicide. This statement made by him does not amount to abetment on the part of the applicant in any sense. Therefore, it is prayed that the applicant may be granted anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. The deceased Mukhdev Singh committed suicide on 21.01.2019 by consuming some poisonous substance. He had left suicide note in which it was stated that since he was unable to repay the installment of loan by which he had made purchase of the motor cycle from the showroom of this applicant, therefore, he is ending his life. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering on the entire material present in the case diary and the investigation done so far, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram