

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 828 of 2019

1. Rakesh Kumar Kunjam S/o Shri Ramkaran Kunjam, Aged About 30 Years, R/o Village Hatkongera, Tahsil Kanker District- Uttar Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh
2. Virendra Kunjam S/o Ramgopal Kunjam, Aged About 29 Years, R/o Village Hatkongera, Tahsil Kanker District- Uttar Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Applicants

Versus

- The State of Chhattisgarh Through Police Station Korar, District- U.B. Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Non-applicant

For Applicants – Mr. Parag Kotecha, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-06-2019

1. Apprehending arrest in connection with Crime No.29/19, registered at Police Station Korar, District- Uttar Bastar Kanker, Chhattisgarh for offence punishable under Section 306/34 of the IPC, the applicants have preferred this application for grant of anticipatory bail under Section 438 of the Cr.P.C.
2. It is submitted by learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out. Similarly placed co-accused persons, namely, Mahesh Kunjam, Mahendra Kunjam, Birbal Bhaskar and Nirmal Bhaskar have been granted anticipatory bail by this Court. 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. According to the FIR lodged, deceased Trilochan went on a visit with one Tikeshwari, when it was discovered by the applicants and others they

objected and thrashed the deceased and then he was handed over to the Sarpanch where intention was made that a meeting will be held to take decision on the incident and thereafter the deceased had committed suicide on the same night by hanging himself.

6. After perusing the entire material present in the case diary and considering the fact the similarly placed co-accused persons have been granted anticipatory bail, 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