

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 939 of 2019

- Ravi Sahu, S/o Late Tikaram Sahu, Aged About 26 Years, R/o Tedesara, Tahsil- Rajnandgaon, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Lalbagh, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate.

For Respondent : Mr. Subhash Yadav, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/08/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.220/2019 registered at Police Station- Lalbagh, District-Rajnandgaon(C.G.), for the offence punishable under Section 306 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant regarding giving abetment to commit suicide to the deceased. Deceased was the husband of the sister of this applicant. For the reason that the deceased has tortured the sister of the applicant, this applicant have simply conveyed to the deceased that he will lodge FIR in this respect, which he was legally entitled to do, therefore, no offence has been committed by the applicant, hence, it is prayed that he may be enlarged on anticipatory bail.

3. Learned State counsel opposes bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. Deceased was married to the sister of this applicant. There had been some matrimonial dispute between the deceased and his wife because of which his wife left her matrimonial home and came back to the house of the applicant. According to the evidence, this applicant had threatened the deceased, that he will lodge complaint against him. Deceased committed suicide by throwing himself before a running train on 3.7.2017. One suicide note was found in his pocket in which the name of this applicant is mentioned that he is responsible for his death.
6. After considering the material present in the case diary and also looking to all the facts and circumstances of this case, I am of this opinion that applicant deserves to be benefited with grant of anticipatory bail.
7. 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 his executing a personal bond in the 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha