

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1034 of 2019

- Krishna Kumar Agrawal S/o Late Sadhuram Agrawal Aged About 44 Years
R/o Ward No. 5, Baradwar, Police Station Baradwar, District Janjgir Champa
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station
Saragaon, District Janjgir- Champa Chhattisgarh.

---- Respondent

For Applicant : Mr. K.K. Patel, Advocate.
For Respondent : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C.
apprehending his arrest in connection with Merg No.11/2018 registered at
Police Station- Saragaon, Distt-Janjgir-Champa Chhattisgarh.
2. Learned counsel for applicant submits that applicant is innocent and has
been falsely implicated in this case. No offence of abetment to commit
suicide has been committed by this applicant. The deceased was a borrower
and he was unable to repay the loan, therefore, he has committed suicide
out of frustration for which applicant is not responsible, 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 Rohit Dewangan committed suicide on 1.5.2018 by hanging himself. He has left a suicide note, in which, he has mentioned that he had borrowed from the applicant and others some money which he was unable to repay and he has held responsible the applicant and others for the reason they were demanding back the loan borrowed from the deceased. Hence, this case.
6. After considering the facts and circumstances of this case, I am of this opinion that applicant deserve 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