

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1153 of 2019

Akshay Singh S/o Shri Ravindra Kumar Singh, aged about 19 years, R/o Qr. No. 8A, Old Mines Colony, Village And Post Bhatgaon, P.S. Bhatgaon, District Surajpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Bhatgaon, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Praful N. Bharat, Advocate.
For Respondent/State	: Mr. Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/08/2019

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 83/2019 registered at Police Station Bhatgaon, District - Surajpur, (C.G.). for the offence punishable under Section 306 of the I.P.C.
2. As per the prosecution story, on 22.11.2018, one Ragini Singh committed suicide by hanging herself. It is alleged that deceased was having love affair with the present Applicant, but the marriage could not be made as the elder brother of Ragini was not getting suitable match. It is further alleged that on the date of incident the Applicant and deceased were regularly chatting with each other, till 12:46 in the night. Allegedly the Applicant during chatting refused to marry with the deceased and also used filthy

language due to that deceased committed suicide.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. On the basis of evidence collected by prosecution Prima Facie no case u/s 306 of IPC can be made out against the Applicant. He further submits that marriage of the Applicant was duly fixed. The deceased was having some affair with another person who sent a obscene video of deceased to the Applicant on which the Applicant shown the video to the family members of the deceased and made an inquiry. Thereafter, deceased might have feeling guilty before her family members and committed suicide. However, such inquiry and not be construed as abatement to suicide.
4. Learned Counsel appearing for the State opposes the bail application and submits that from the evidence collected by the prosecution Prima Facie the offence u/s 306 of IPC can be made out against the Applicant, therefore, his bail may be rejected.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, in my considered opinion. It is a fit case to grant anticipatory bail to the Applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following

terms and conditions :

- (i) 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 from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge