

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A.) No. 5 of 2019

- Mohammad Siraj S/o Mohmmad Naseer, Aged About 41 Years, R/o Madapara Transport Nagar, Tahsil And District – Korba, Chhattisgarh. Present Address - Building No.10/90, Alsidariya Road Dohakatar Dubai.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station City Kotwali Bilaspur, District – Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Vikash Pandey, Advocate.

For State/non-applicant : Mr. Adil Minhaj, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/02/2019

1. Apprehending arrest in connection with Crime No.245/2018, registered at Police Station – City Kotwali Bilaspur, District – Bilaspur, Chhattisgarh for offence punishable under Section 306, 120B, 497 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. No case is made out against him. The act as alleged against the applicant does not amount to commission of offence of abetment for commission of suicide. Similarly placed co-accused persons have been granted anticipatory bail by this Court. Hence, it is prayed that applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. Deceased Ajim Khan committed suicide by hanging himself. Father of the deceased have filed a complaint case making allegation that co-accused Nishad Parvin who was wife of deceased has illicit relations with the co-accused persons and this applicant is also named as one of those, because of which the deceased felt compelled to commit suicide. The FIR has lodged on the basis of this complaint.
6. After considering on the material present in the case diary and this fact that similarly placed co-accused persons have been granted anticipatory bail by this Court itself, I feel inclined to allow this application.
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 them by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil