

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 408 of 2020

1. Bhikham Sahu S/o Late Shri Chhabilal Sahu, Aged About 50 Years
R/o Village - Jenjra, Police Station Rajim, District Gariyaband
Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police
Station Chhura, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant Mr. Shashank Thakur, Advocate

For Respondent /State Mr. Sudeep Agrawal, Dy. Advocate General

Proceedings through Video Conferencing

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

29/6/2020

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.69/2019 registered at Police Station Chhura, District Gariyaband for offence punishable under Sections 306 & 201 read with Section 34 of the Indian Penal Code.
2. Deceased Sanotsh Dewar, a suspect of Cr.No.81/2018 registered at Police Station Chhura concerning theft of electrical wire from the depot of the Electricity Department, was called for interrogation. He was in the police lock up when he committed suicide in the intervening night of 13th & 14th September, 2018. In the judicial enquiry for ascertaining the reason for commission of suicide by the deceased the concerned Chief Judicial Magistrate vide his report dated 10-4-2019 recommended for registration of offence

against the police personnel and staff of the concerned police station. In all 7 persons who were posted in the police station on the fateful day have been made accused in the present crime.

3. Admittedly, co-accused Jainsingh Diwan, who also posted as a Constable in the same police station, has been enlarged on anticipatory bail vide order dated 25-2-2020 passed in M.Cr.C.A. No.1904 of 2019. Case of the present applicant is similar to the above Jainsingh Diwan.
4. Considering the entire facts situation of the case, this Court is inclined to release the applicant on anticipatory bail.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (a) he shall make himself available for interrogation by a police officer as and when required;
 - (b) 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 facts to the Court or to any police officer.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri