

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 552 of 2020**

- Ashish Kumar S/o Shri Pradeep Kumar Aged About 28 Years Caste- Rajwar, Occupation- Student, R/o Village- Bodar, Police Station and Tehsil- Sonhat, District- Koriya, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through - S.H.O. Police Station- Charcha, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant : Shri Pushkar Sinha, Advocate.

For Respondent/State : Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****9/7/2020**

- The matter is heard through video conferencing.
- The Applicant has preferred the first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 23/2020 registered at Police Station Charcha, District – Koriya, (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
- According to the case of the prosecution, deceased Manisha Rajwade who was studying in B.A. Final Year, committed suicide on 29.1.2020 by hanging herself in her house. Allegedly, there was love relationship between applicant and deceased and when applicant refused to marry with the deceased, she committed suicide. On the basis of the above

background, offence has been registered against applicant.

4. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that *prima facie*, no case under Section 306 of I.P.C. is made out against applicant. Thus, it is prayed that present applicant may be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
8. Accordingly, the bail application is allowed.
9. 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 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/her 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

Prakash