

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 996 of 2020**

Udit Pratap Dev S/o Shri Veer Kishore Dev, aged about 34 years R/o Rajapara, Kanker, Police Station & District North Bastar, Kanker (C.G.)

---- Applicant

**Versus**

State of Chhattisgarh through the S.H.O., Police Station Charama, District North Bastar, Kanker (C.G.)

---- Respondent

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| For Applicant  | : | Mr. Sandeep Shrivastava, Advocate   |
| For Respondent | : | Mr. Ghanshyam Patel, Govt. Advocate |

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board**

**17/09/2020**

1. The matter is heard through video conferencing.
2. The applicant has filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 115/2020 registered at police station – Charama, Distt. North Bastar, Kanker (C.G.) for the offence punishable under Sections 306/34 of the IPC.
3. In this case there are two accused persons. The name of the Deceased is Gagandeep Singh. He committed suicide by hanging himself in the night of 17/06/2020. He was the employee of the present applicant who is running a Gym, Royal Fitness Center. A suicidal note of the Deceased was found. According to the contents of the suicidal note, the Deceased had left the gym of the applicant and

the applicant had threatened him to kill through mobile phone, due to which he committed suicide. After mere inquiry, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. Looking to the contents of the suicidal note, the main ingredient of this section is totally missing, therefore, prima-facie no offence is made out against the applicant. He further submits that other co-accused has already granted regular bail. He prays to extend the benefit of anticipatory bail to the applicant.
5. Learned counsel appearing on behalf of the State opposes the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case, argument advanced by counsel for the parties and after going through the contents of the suicidal note and the material available on record, without further commenting on other merit of the case, I am inclined to extend the benefit of anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:

- i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
- ii. The accused/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. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. 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.

10. Certified copy, as per rules.

**Sd/-  
(Arvind Singh Chandel)  
Judge**

Rahul