

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 962 of 2020

Dr. Himachal Rajwade S/o Shri Savidal Ram Aged About 30 Years R/o Village Mendra Khurd, P.S.- Gandhi Nagar, Tah. Ambikapur, District- Ambikapur (Surguja), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- P.S.- Udaipur, District- Surguja, Chhattisgarh

---- Respondent

For Applicant	: Mr. Prafull N. Bharat, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

23.09.2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this First Bail Application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with Crime No.87/2020, registered at Police Station: Udaipur, District: Surguja (C.G.) for the offence punishable under Section 306 of IPC.
3. The name of the deceased in this case is Sonu Rajwade. The present Applicant is the Doctor by profession. The deceased along with present Applicant were posted at different hospitals in Udaipur (C.G.). There was a love relationship between the present Applicant and deceased. According to the case of prosecution, on 18.11.2017, the deceased consumed some medicines due to that she died on 19.11.2017. It is alleged that, present Applicant objected that she is keeping relations with other persons, due to that deceased committed suicide. Initially, merg was lodged and after the merg enquiry, offence has been registered against the present Applicant.
4. Learned counsel appearing on behalf of the applicant submits that the

applicant is falsely implicated in the present case. He submits that there is no material available on record on the basis of which offence under Section 306 is made out. Ingredients of Section 107 of IPC are also missing, therefore, he prays for grant of anticipatory bail to the Applicant.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties, material produced by the prosecution, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant 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 personal bond in the sum of Rs. 25,000/- 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 made herself 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 her by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge