

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1652 of 2019**

- Dushashan Chakradhari S/o. Shri Raghunath @ Vyasi Chakradhari, Aged About 23 Years Aged About 23 Years, R/o Village- Charoda Ward No. 7, Police Ourpost - Bundeli, P.S.- Tendukona, Tahsil- Pithoura, District- Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- The State of Chhattisgarh Through The Station House Officer, Police Outpost - Bundeli, P.S.- Tendukona, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumit Shrivastava on behalf of Shri Sunil Sahu, Advocates.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****09/01/2020**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 108/2019 registered at Police Outpost Bundeli, Police Station Tendukona, District – Mahasamund, (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. As per the prosecution story, on 25.08.2019 one Kumari Lokesh Patel, aged about 19 years committed suicide by consuming poisonous substance. It is alleged that deceased was having love relationship with the present applicant and when applicant refused to marry with her, then deceased committed suicide. On the basis of the said

background, offence has been registered.

3. 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. can be made out against present applicant. There is nothing on record on the basis of which it can be said that applicant has instigated the deceased to commit suicide. Therefore, it is prayed that applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties and further 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.
7. Accordingly, the bail application is allowed.
8. 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