

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1802 of 2019

- Cyril Dhritlahre S/o Late Shri Dhanau Dhritlahre Aged About 37 Years R/o Jagatpur, Rambhata Naya Muhalla, Police Station Raigarh, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Sho Police Station Moojgahan, District Raipur, Chhattisgarh.

---- Respondent

AND

MCRCA No. 1868 of 2019

- Sukhiram Verma S/o. Late Shri Bagasram Verma Aged About 75 Years R/o Village- Pathari, P.S. Dharsiva, District- Raipur Chhattisgarh. Mobile No. - 8130780242

---- Applicant

Versus

- State Of Chhattisgarh Through-Police Station-Mujgahan, District- Raipur Chhattisgarh

---- Respondent

For Applicant (In MCRCA No. 1802/2019) :Mr. Vivek Sharma, Advocate.

For Applicant (In MCRCA No. 1868/2019) :Mr. C.R. Sahu, Advocate.

For Respondent/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

27/01/2020

1. Since, the above bail applications arise out of same crime number, therefore, they are being decided by this common order.

2. The applicants have filed these bail applications for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 375/2019, registered at Police Station Moojhgahan, Distt. Raipur (C.G.) for the offence punishable under Section 306/34 of the IPC.
3. As per prosecution story, on 11.06.2019 deceased Suman Ojha committed suicide by setting himself ablaze. During morgue investigation, it is revealed that applicant Cyril Dhritlahre took Rs. 3,00,000 from applicant Sukhiram Verma and the applicants have prepared forged stamp paper wherein it is mentioned that the deceased took the said money from Sukhiram Verma and fraudulently they have taken signature of the deceased in the said stamp paper. Due to depression, the deceased committed suicide. On the basis of said background, offence has been registered.
4. Learned counsel appearing on behalf of the applicants submit that the applicants are innocent and have been falsely implicated in the present case. They further submit that prima facie no case under Section 306 of the IPC can be made out against the applicants. There is nothing on record on the basis of it can be said that by any manner, the applicants have instigated the deceased for committing suicide. The Counsel finally submits that the applicants are the reputed persons of their society, they are the permanent resident of above mentioned address and there is no chance of their absconding. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail applications.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the

counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicants.

8. Accordingly, the anticipatory bail applications are allowed.
9. It is directed that in the event of arrest, the applicants shall be released on bail on each of them 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 them and they shall abide by all the following terms and conditions:-
 - I. That the accused/applicants shall made themselves available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicants 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/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicants shall appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge