

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1941 of 2019**

- Smt. Kuvesh Chauhan W/o Late Bishwaroop Roy Aged About 32 Years D/o Shri Baldev Singh Chauhan Aged About 32 Years, R/o 3-Ch-22, Bapu Nagar, Bhilwara, Rajasthan-311001.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station Incharge, Police Station Supela Thana, Bhilai, District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Shri Prasoon Agrawal, Advocate.
For Respondent/State	: Shri Anand Verma, Dy. G.A.
For Objector	: Shri Jaydeep Singh Yadav, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****03/03/2020**

1. The Applicant is apprehending his arrest in connection with Crime No. 354/2019 registered at Police Station - Supela Thana, Bhilai, District – Durg, (C.G.) for the offence punishable under Sections 306 of the Indian Penal Code.
2. As per the prosecution story, present applicant is the wife of deceased Bishwaroop Rai. Their marriage was solemnized in the year 2013. Out of their wedlock a boy was born. On 06.10.2018, deceased Bishwaroop Rai committed suicide by hanging himself. Allegedly, after the marriage both husband and wife frequently indulged in quarrels and used to fight a lot. It is alleged that applicant used to curse the deceased to go die somewhere. Due to which deceased committed suicide. On the basis of the said, 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 offence under Section 306 of I.P.C. is made out against present applicant. Incident occurred on 06.10.2018 and written complaint has been lodged by the mother of the deceased on 01.12.2018. It is further submitted that there is nothing on record on the basis of which it can be said that applicant has instigated or abetted the deceased to commit suicide in any manner. Looking to the above, it is prayed that present applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State and Objector oppose 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, considering the facts and circumstances of the case, evidence collected by the prosecution and particularly considering the fact that Incident occurred on 06.10.2018 and written complaint has been lodged by the mother of the deceased on 01.12.2018, therefore, 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 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