

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 618 of 2021**

1. Ritesh Kumar Jain S/o Late Shanti Lal Jain Aged About 37 Years R/o Ward No. 24, Kamthi Line, Rajnandgaon, Tahsil And Dist Rajnandgaon (Chhattisgarh)
2. Smt. Shikha Jain W/o Ritesh Jain Aged About 30 Years R/o Ward No. 24, Kamthi Line, Rajnandgaon, Tahsil And Dist Rajnandgaon (Chhattisgarh)
3. Punam Kumar Kochar (Jain) S/o Late Shanti Lal Kochar (Jain) Aged About 39 Years R/o Ward No. 24, Kamthi Line, Rajnandgaon, Tahsil And Dist Rajnandgaon (Chhattisgarh),

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station Basantpur, Rajnandgaon (Chhattisgarh)

---- Respondent**MCRCA No. 588 of 2021**

- Amit Kumar Jain S/o Madanchand Jain Aged About 39 Years R/o Heeramoti Line, Ward No. 39, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Basantpur, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	: Mr. B.P. Gupta & Mr. T.K. Jha, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.06.2021**

1. Proceeding through video conferencing.
2. Heard.
3. MCRCA No. 618/2021 is admitted.
4. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants who are apprehending their arrest in connection with Crime No.

160/2021 registered at Police Station- Basantpur, District Rajnandgaon (C.G.) for commission of the offence punishable under Section 306, 34 of the IPC.

5. As per the prosecution case, the applicants and the deceased were in a partnership firm. A quarrel arose between the deceased and applicants regarding the money, in consequence of which, the applicants arrogated the hardware shop of the deceased and by force got a blank cheque signed by the applicants. By this, deceased committed suicide by hanging himself.
6. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in this case. Counsel for the applicants further submitted that there was a simple quarrel between the applicants and deceased and taking blank cheque does not constitute any type of instigation to commit suicide. It is further argued that a news was published in *Sabera Sanket* dated 17.11.2020 to the effect that on the date of indent there was some quarrel arose between the deceased and his father Govind Agrawal due to that the deceased committed suicide and thereafter the father of deceased also committed suicide by laying himself before the railway track. It shows that the deceased Vikas Agrawal had not committed suicide due to the quarrel between applicants and deceased, therefore, the present applicants may be granted anticipatory bail.
7. On the other hand, counsel for the State opposes the application for anticipatory bail.
8. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed.
9. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on their furnishing a personal bond in the sum of Rs. 50,000/- each, with one surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and

when required.

- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that 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/-
(Rajani Dubey)
Judge**

V/-