

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUROrder reserved on 11-12-2020Order delivered on 06-01-2021MCRCA No. 1377 of 2020

- Krishna Sahu S/o Late Virendra Sahu Aged About 32 Years R/o Village Amanala Haldibadi P.S. Chirmiri District Koriya, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chirmiri District Koriya, Chhattisgarh

---- Respondent

For Applicant	Mr. Shakti Raj Sinha, Advocate
For Respondent /State	Mr. Ayaz Naved, G.A.

Hon'ble Mr. Justice Prashant Kumar MishraCAV Order

1. Heard.
2. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.302/2020, registered at Police Station Chirmiri District Koriya C.G. for offence punishable under Sections 306, 506 read with Section 34 of the I.P.C.
3. As per the prosecution case, the applicant along with co-accused Ravi Thapa @ Birendra Pratap Singh, Sonu Sahu & Naved Ahmad has abetted commission of suicide by the

deceased Vikram Lal on 30-7-2020. The deceased had obtained loan from the accused persons on different occasions for which the accused persons were harassing and torturing him for return of the loan amount.

4. It is argued that there is no allegation against the present applicant constituting ingredients of offence under Section 306 of the IPC, therefore, he is entitled to be released on anticipatory bail.
5. Per contra, learned counsel for the State would oppose the bail application.
6. Admittedly, regular bail applications of Ravi Thapa @ Birendra Pratap Singh, Sonu Sahu and Naved Ahmad have been dismissed by this Court by the common order dated 9-11-2020 passed in MCRC Nos.6467, 6715 & 6801 of 2020. The suicide note left by the deceased contains name of the present applicant also, who was involved in torturing and harassing him. Thus, case of the present applicant is not distinguishable with that of the accused persons whose regular bail applications have been dismissed, therefore, no case is made out for extending the benefit of Section 438 of the Cr.P.C. in favour of the applicant.
7. Accordingly, the anticipatory bail application is rejected.

SD/-

(Prashant Kumar Mishra)
Judge

Gowri