

NAFR

**HIGH COURT of CHHATTISGARH, BILASPUR****MCRCA No. 1131 of 2021**

- Om Prakash Verma S/o late Kejuram Verma, aged about 62 years, R/o Ward no. 61, Shri Ram Chowk, Near Hanuman Mandir, Sahu Para, Bhatagaon, Raipur, District Raipur Chhattisgarh

**-----Applicant****VERSUS**

- State of Chhattisgarh through: SHO Police Station Utai, District Durg, Chhattisgarh

**-----Non-applicant**


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For Applicant : Mr. Avinash Chand Sahu, Advocate.  
For Non-applicant- State : Mr. B.L. Sahu, Panel Lawyer.

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**Hon'ble Shri Parth Prateem Sahu, Judge****ORDER ON BOARD****17/09/2021**

1. Applicant has preferred this application under Section 438 of CrPC for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 291/2021 registered at Police Station Utai, District-Durg (C.G.) for the offence punishable under Section 306 of IPC.
2. Case of the prosecution is, that Ravindra Verma, brother-in-law of applicant committed suicide by hanging in his farm house on 06.08.2021. During the merg enquiry one suicidal note was recovered from the spot based on which aforementioned crime was registered against Himanshu Sharma. During the course of investigation name of applicant came in statement of witnesses recorded under Section 161 of CrPC.
3. Mr. Avinash Chand Sahu, learned counsel for the applicant would submit that as in the suicidal note name of present applicant being

brother-in-law of deceased making allegation of demand of money is also there. FIR is not registered against applicant. He submits that father of deceased Kisanlal during his lifetime has apportioned the property between himself, his daughters and his son by filing proceedings before the Revenue Officer ie. Naib Tahsildar, Bhilai-3, District Durg Chhattisgarh. Vide order dated 10.09.2005, Competent authority has passed order apportioning the immovable property between Kisanlal, Ravindra Verma and Hileshwari, wife of applicant who received land bearing khasra number 1703 measuring 1.09 acre of land but subsequently Kisanlal sold the land to some other person of which deceased was witness. Demand of money by Hileshwari was with regard to money of the property received by her which cannot be said to be an illegal demand. He further submits that even in the FIR his name is not shown to be accused person, hence, he may be enlarged on anticipatory bail.

4. On the other hand, Mr. B.L. Sahu, learned State counsel opposes the submissions made by learned counsel for the applicant and submits that though in the FIR name of applicant is not mentioned but his name is appearing in the suicidal note, hence, the involvement of applicant is there in the aforementioned offence.
5. I have heard learned counsel for the respective parties.
6. Taking into consideration the submission made by learned counsel for the parties, documents placed on record along with bail application and nature of allegation levelled against applicant as also the other co-accused person by name Hileshwari Verma, wife of applicant, Suresh Kumar, son-in-law of applicant and Yogita Verma and Kiran Verma, daughters of applicant have been enlarged on bail, without commenting anything on merits of the case, I am inclined to allow the

bail application.

7. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the crime in question (291/2021), he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:
- (i) that the applicant shall make himself available for interrogation before the Investigation Officer as and when required;
  - (ii) that the applicant 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) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
  - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-  
**(Parth Prateem Sahu)**  
Judge

Pawan