

ITEM NO.73

COURT NO.7

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (Crl.) No.1757/2026

[Arising out of impugned final judgment and order dated 09-01-2026 in MCRCA No. 41/2026 passed by the High Court of Chhattisgarh at Bilaspur]

SHIVKUMAR SAHU

Petitioner(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

(IA No. 31237/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT & IA No. 31238/2026 - EXEMPTION FROM FILING O.T.)

Date : 02-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Dr. Rajesh Pandey, Sr. Adv.

Mr. Jitendra Kumar, AOR

Ms. Ayushi Pandey, Adv.

Mr. Rishabh, Adv.

For Respondent(s) :

Mr. Vinayak Sharma, Adv.

Mr. Ravinder Kumar Yadav, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Exemption Applications are allowed.
2. The High Court has denied anticipatory bail to the petitioner (original Accused No.4) in connection with Crime No. 582/2025 registered with Police Station - Out Post Surgi, Basantpur District Rajnandgaon, State of Chhattisgarh for the offence punishable under Sections 108(B) & 3(5) of the Bharatiya Nyay Sanhita, 2023 (for short, the 'BNS Act')
3. To put it briefly, the case of the prosecution is that the petitioner before us is a money lender. The deceased had borrowed money from the petitioner at a high rate of interest. As the

deceased was unable to repay the borrowed money, there was incessant harassment at the end of the petitioner. Such harassment led the deceased to take the extreme step of committing suicide. Thus, the case of the prosecution is that the petitioner - herein abetted the commission of suicide within the meaning of Section 107 of the IPC (Section 45 BNS) punishable under Section 306 of the IPC (108 BNS).

4. We take notice of the fact there are three accused against whom identical allegations are levelled.

5. We are informed that one of the co-accused has been released on anticipatory bail.

6. We are conscious of the fact that at the time of commission of suicide, the deceased left behind a suicide note.

7. Having regard to the nature of the allegations, we are of view that the petitioner has been able to make a case for grant of anticipatory bail.

8. In such circumstances, referred to above, we direct that in the event of arrest of the petitioner in connection with offence, enumerated above, he shall be released on bail, subject to terms and conditions that the Investigating Officer may deem fit to impose.

9. Once the petitioner is released on anticipatory bail, thereafter he shall appear before the Court concerned and furnish fresh bail.

10. With the aforesaid, the Special Leave Petition stands disposed of.

11. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)