

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3669 of 2015**

1. Tularam Sahu S/o Pardesi Sahu Aged About 38 years
2. Manharan Sahu S/o Pardesi Sahu Aged About 32 Years
3. Pardesi Sahu S/o Jutha Sahu Aged About 65 Years

All residents of Village- Manikchouri, Thana- Piparia, Tehsil-
Kawardha, District- Kabirdham, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through: Police Station Pipariya, District
Kabirdham, Chhattisgarh

---- Non-applicant

For Applicants:	Shri Anoop Sharma, Advocate.
For non-applicant/State:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 148/2015 registered at Police Station – Piparia (Kabirdham) for the offences punishable under Sections 306 & 201/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicants abetted/instigated Rani (since deceased) to commit suicide and

on account of frustration and humiliation, she committed suicide on 5.5.2015.

(3) Learned counsel appearing for the applicants would submit that applicants have falsely been implicated in the offence in question; and there is no evidence on record to connect the applicants with the crime in question as she has died on account of severe abdominal pain and, as such, they are in detention since 27.06.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the non-applicant/State submits that applicant No.1/husband used to harass the deceased with cruelty and immediately before the date of suicide, there was some quarrel between the applicant No.1 and deceased. He further submits that applicant subjected the dead body to cremation without waiting for the relatives of the deceased, which indicates that she was subjected to suicide and, therefore, the applicants are not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the material collected by the prosecution against the applicant No.1, who is husband of the deceased, I am not inclined to release the applicant No.1 on bail. Thus, the bail application in relation to applicant No.1 is rejected.

(6) So far as bail application of respondents No. 2 & 3 are concerned, who are brother-in-law & father-in-law of the deceased, respectively, taking into consideration the facts &

circumstances of the case; considering their role in the offence in question; and their relation with the deceased; further considering their detention period and substantial investigation has already been made; this court is of the view that it is a fit case to release the applicants No. 2 & 3 on bail. Accordingly, the application in relation to applicants No. 2 & 3 is allowed.

(6) Accused/applicants namely **Manharan Sahu & Pardeshi Sahu** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-