

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6950 of 2015

1. Chaitram S/o. Bhagatram, Aged about 40 years, R/o. Village Madhuban, Police Station and Tahsil Bilaigarh, Civil and Revenue District Balodabazar Bhatapara (C.G.)
2. Hiroundin W/o. Chaitram Satnami, aged about 35 years, R/o. Village Madhuban, Police Station and Tahsil- Bilaigarh, Civil and Revenue District Balodabazar, Bhatapara (C.G.)

---- Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police Station Sarsiwa, District Balodabazar, Bhatapara (C.G.)

---- Respondent

For Applicant : Ms. Anusueya Rajpur Advocate.
For Respondent : Mr. Ashish Shukla, Govt. Advocate

And

MCRC No. 6995 of 2015

Umesh Banjare S/o. Puniram Banjare, Aged about 24 years, R/o. Bataupali, (wrongly mention in the impunged order Baraupali), Thana Kosir, Tahsil Sarangarah, District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police Station Sarsiwa, District Balodabazar, Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. Deepak Jain, Advocate.
For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

15/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants

who have been arrested in connection with Crime No. 224/2015 registered at Police Station- Sarsiwa, District – Balodabazar (C.G.) for the offence punishable under Sections 306/34 of IPC.

2. Case of the prosecution, in brief, is that one Manoj Kumar had in relationship with Hemlata, therefore, she was deserted by the family members of Umesh. Consequently the applicants have abetted the deceased Hemlata for committing suicide and the deceased committed suicide. Therefore, the offence is committed.
3. Counsel for the applicants submits that even the cases are admitted as a whole there is no case of abatement under section 107 of IPC is made out. Counsel for the applicants further submit that the applicants are the relative of deceased Hemlata and since the deceased herself was exposed in his relation with Manoj Kumar that resulted her to commit suicide and therefore, they may be enlarged on bail.
4. Per contra state counsel opposes the prayer for grant of bail.
5. Considering the case diary and the statement and taking into fact that the allegation against these applicants. Taking into consideration the nature and gravity of the allegations against these applicants and the fact that the applicants in M.Cr.C. No. 6950 of 2015 are in jail since 30.10.2015 and the applicant in M.Cr.C. No. 6995/2015 is in jail since 01.11.2015, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one

surety each in the like sum to the satisfaction of the concerned
trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Santosh