

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4299 of 2015

1. Indarman Nishad, S/o Ramnishad, aged about 62 years,
2. Geetabai, D/o Indarman Nishad, aged about 30 years,

Both R/o Village Keshdabri, Police Station and Tahsil Saja, Civil and Revenue District Bemetara (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Police Station Saja, Civil and Revenue District Bemetara (C.G.)

---- Non-applicant

For Applicants:	Mr. U.K.S. Chandel, Advocate.
For Non-applicant:	Mr. Ramakant Mishra, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/08/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.103/2015 (Criminal Case No.436/2015 pending in the Court of Judicial Magistrate First Class, Saja), registered at Police Station Saja, Distt. Bemetara, for the offence punishable under Section 306 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants and three other co-accused instigated Laxmi Bai to commit suicide and thereby she committed suicide on 17-10-2014.
3. Learned counsel for the applicants submits that the applicants have not committed any offence, they have been falsely implicated in the case and they are in custody since 26-6-2015. He further submits that co-accused

Rambai Nishad & Bharti Nishad have been granted bail by this Court vide order dated 4-8-2015 passed in M.Cr.C.No.3744/2015 and case of the present applicants is identical and similar to that of the co-accused who had already been granted regular bail.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case and the fact that co-accused have already been granted regular bail, I am of the view that it is a fit case to grant regular bail to the applicants also. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge