

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 837 of 2016**

1. Mahesh S/o Sudharu Mahilang aged about 33 years
2. Sudharu S/o Karra Mahilang aged about 50 years
3. Janki W/o Sudharu Mahilang aged about 48 years
4. Kranti W/o Mahesh Mahilang aged about 27 years

All above R/o village Saraipali Police Station and Post
Komakhan Civil and Revenue District Mahasamund C.G.

---Applicants**Versus**

State of Chhattisgarh through Police Station Komakhan
District Mahasamund C.G.

---Non-applicant

For Applicants	:	Mr. Manoj Paranjpe, Advocate
For Non-applicant	:	Mr. Dilmanrati Minj, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/03/2016**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.120/2015, registered at Police Station Komakhan

District Mahasamund (C.G.) for the offence punishable under Section 306 read with 34 of IPC.

2. Case of the prosecution, in brief, is that, wife of Ramesh, Smt. Pinki committed suicide on 20/09/2015 by consuming poison on account of cruelty, harassment, demand of dowry and instigation extended by the present applicants and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicant have not committed any offence and have been falsely implicated in the offence in question. He would further submit that there is no allegation against the present applicants for instigation or demand of dowry. He would further submit that there is general and omnibus statement against the present applicants. He would further submit that present applicants are father-in-law, mother-in-law, brother-in-law and brother-in-law's wife of the deceased. He would further submit that statement of the witnesses recorded only after three months of alleged incident. He would lastly submit that applicants are in jail since 12/01/2016, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; applicants are father-in-law, mother-in-law, brother-in-law and brother-in-law's wife of the deceased; material available in the case diary and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Mahesh, Sudharu, Janki and Kranti, shall 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 trial Court for their appearance as and

when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Tiwari