

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1927 of 2016**

1. Kamta son of Rikhi Lodhi, aged about 45 years,
2. Tamin Bai wife of Kamta Lodhi, aged about 40 years,

Both are resident of Village-Tilaikhar, Police Station & Tahsil-Dongargaon,
District-Rajnandgaon (CG)

---Applicants

Versus

State of Chhattisgarh Through: Station House Officer, Police Station
Dongargaon, District-Rajnandgaon (CG)

---Non-applicant

For Applicants	:	Mr. Basant Dewangan, Advocate
For Non-applicant	:	Mr. D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20/04/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.51/2016, registered at Police Station-Dongargaon, District-Rajnandgaon (CG), for the offence punishable under Section 306/34 of the IPC.
2. Case of the prosecution, in brief, is that marriage of Khemin Bai (since deceased) was solemnized with applicants son Shivkumar on 1.1.2016 and Khemin Bai committed suicide on 25.1.2016 by hanging.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. They are father-in-law and mother-in-law of the deceased, there is no allegation of abatement or instigation to commit suicide at their instance, no offence against them is made out and they are in jail since

19.2.2016. He would further submit that applicant No.1 is aged about 45 years and applicant No.2 is aged about 40 years and no further interrogation is required.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the deceased was pregnant at the time of marriage and the applicants and their son taunted and threatened her to kill as she was pregnant on the date of marriage.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, the applicants are father-in-law and mother-in-law of the deceased, direct allegation is against applicants son for taunting and threatening to kill as she was pregnant at the time of marriage, their role, their pre-trial detention and their relationship, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants 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 his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-