

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 93 of 2016**

- 1. Smt. Bhagmani wife of Shivbaran Aged About 35 Years R/o Village - Cherwapara, Bardad, Post Office & Police Station - Charcha, Tahsil - Baikunthpur, District - Koriya Chhattisgarh
- 2. Shivbaran S/o Dhansai Aged About 40 Years R/o Village - Cherwapara, Bardad, Post Office & Police Station - Charcha, Tahsil - Baikunthpur, District - Koriya Chhattisgarh

**---- Petitioners**

**Versus**

- State of Chhattisgarh through The Station House Officer, Police Station - Charcha, District - Koriya Chhattisgarh

**---- Respondent**

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|--------------------|---|------------------------------------|
| For the applicants | : | Mr. Shivendu Pandya, Advocate      |
| For the Respondent | : | Mr. Anil S. Pandey, Govt. Advocate |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**21.01.2016**

- 1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 140/2015 registered at P.S. Charcha, District Koriya (C.G) for the offence punishable under Sections 306 read with Section 34, 201 & 120(B) of IPC.
- 2. As per the prosecution, deceased Santoshi was married to one Krishna Prasad and after 8-9 of the marriage, she committed suicide by consuming poison. The applicants were mother-in-law and father-in-law of the deceased and the allegation against them is that they have ill-treated the deceased and abetted her to commit suicide, therefore, the offence is committed.
- 3. Learned counsel for the applicants submits that on a trivial

issue the applicants have been inculpated and the applicants were residing separately and as per the statements of independent and neighbour witnesses, the dispute, if any, existing between the applicants and deceased is not so severe and the applicants have been falsely implicated in this case. He further submits that charge sheet in this case has been filed and the applicants are in jail since 19.11.2015, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Considering the totality of the facts and circumstances and the degree of allegations levelled against the applicants as also considering the fact that the charge sheet in this case has been filed and the applicants are in jail since 19.11.2015, I am inclined to release them on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court for their appearance as and directed by the said Court.

C.c. as per rules.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**