

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7395 of 2015

1. Hemlata @ Lata, D/o Ghanauram Banjare, Aged About 25 Years.
2. Smt. Arti Banjare, W/o Ghanauram Banjare, Aged About 57 Years.

Both R/o. Village Sankra, Ward No.16, P.S. Dharsiva, Civil & Rev. Distt. Gariyaband, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through P.S. Dharsiva, Civil & Rev. Distt. Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. J.K.Gupta, Advocate

For Respondent : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.01.2016

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.310/2015, registered at Police Station– Dharsiva, District Raipur (C.G.) for the offence punishable under Section 306, 498-A, 34 of IPC.
2. Case of the prosecution, in brief, is that one Kirti Banjare committed suicide by pouring kerosene and set her ablaze on 04.09.2015. It was the allegation that the applicants i.e. mother-in-law and sister-in-law alongwith husband of the deceased used to torture and abetted the deceased to commit suicide.
3. Learned counsel for the applicants submits that some domestic dispute arose between the deceased and the family members of the applicants, however, they have not instigated the deceased to

commit suicide. It is further submitted that the ingredients of Section 306 of IPC is completely absent and the statement of the witnesses have already been recorded, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, the charge sheet and the statements including the statement of the daughter of the deceased. Taking into consideration the facts and circumstances of the case and the degree of allegation against this applicants which are general in nature and further taking into fact that the applicants are in jail since 10.10.2015, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicants shall be released on bail on their furnishing a personal bond in the 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge