

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3291 of 2016

1. Heeruram Dhruw S/O Ramji Dhruw Aged About 63 Years R/O Thana - Para, Charama, Tahsil - Charama, District - Kanker Chhattisgarh
2. Savitri Bai Dhruw W/O Heeruram Dhruw Aged About 55 Years R/O Thana - Para, Charama, Tahsil - Charama, District - Kanker Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station - Pakhanjur, District - Kanker Chhattisgarh

---- Respondent

For Applicant : Mr. D.N. Prajapati, Advocate
For Respondent/State : Ms. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.07.2016

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 on 05-03-2016 in connection with Crime No. 21 of 2016, registered at Police Station Pakhanjur, District Kanker (CG) for the offence punishable under Sections 498(A), 306/34 of the IPC.
2. As per prosecution case, on 1-1-2016 deceased Uttara Sonkar committed suicide by setting herself ablaze. It is alleged that the applicants were mother-in-law and father-in-law of the deceased Uttara Sonkar and under some customs she was married to Umesh Kumar Dhruw, who is son of the present applicants and thereafter when she came to her matrimonial house, she was subjected to physical and mental torture by her in-laws and subsequently she committed suicide.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case and they were residing at Charama whereas the deceased was residing at Pakhanjur and the son of the applicants was working as ward-boy at Pakhanjur. He would further submit that the applicants have not abetted to the deceased to commit suicide. He would further submit that the applicants have been falsely implicated in the case, charge-sheet has been filed in this case and they are in jail since 5-3-2016, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statements of the parents of the deceased.
7. Taking into consideration the totality of the circumstances, nature of allegation leveled against the applicants and considering the statements the parents of the deceased, charge-sheet has been filed and the applicants are in jail since 5-3-2016, I am inclined to release the applicants on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

