

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1501 of 2016

1. Raju S/o Guharam Khunte Aged About 19 Years R/o Village Jogidipa, P.S. Sarsiwa, Tahsil Bilaigarh, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

2. Itwarin W/o Haldhar (Wrongly Mentioned Itwari And Father In the Cause titled Of Impugned Order) Aged About 21 Years R/o Village Mohtara(S), P.S. Sarsiwa, Tahsil Bilaigarh, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through, S.H.O., Police Of Police Station Sarsiwa, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicants - Shri A.S. Rajput, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/03/2016

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 27/01/2016.

2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 262/2015 registered in Police Station Sarsiwa, Distt. Baloda Bazaar-Bhatapara (C.G.) for offence punishable under section 306/34 of Indian Penal Code.

3. As per the prosecution case, applicant No.1 Raju was married to Punita Bai the deceased on 20/04/2015 and they had quarrel. He used to torture her and subsequently there was a demand of motorcycle and the applicant No.2 who is sister-in-law had given loan of Rs.300/- which having not been returned, it led to dispute and on the date of incident both applicants quarreled with the deceased in the morning and subsequently she committed suicide. Therefore, the applicants have abetted the

deceased to commit suicide.

4. Learned counsel for the applicants submits that charge sheet in this case has been filed and there is no evidence on record to show that the applicants have abetted the deceased to commit suicide and the suicide was committed on the trivial issue which cannot be stated to be abetment, therefore, the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. I have perused the case diary and statement of Bansiram and Maniram. Taking into statement, facts and circumstances of the case and degree of allegation, this court is inclined to release the applicants on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE