

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4048 of 2016

1. Akash Soni S/O Anant Ram Soni Aged About 21 Years R/O Yuva Ankush Chowk, Purani Basti, Chhawani, Tahsil & District Durg Chhattisgarh
2. Anant Ram Soni S/O Bhoj Ram Soni Aged About 52 Years R/O Yuva Ankush Chowk, Purani Basti, Chhawani, Tahsil & District Durg Chhattisgarh
3. Prabha Devi Soni W/O Anant Ram Soni Aged About 45 Years R/O Yuva Ankush Chowk, Purani Basti, Chhawani, Tahsil & District Durg Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through : Station House Office, P.S. Jamul, District Durg Chhattisgarh

---- Respondent

For Applicants : Mr. Jitendra Gupta,, Advocate

For Respondent/State : Mr. Sumit Jhawar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

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 28-01-2016 in connection with Crime No. 54 of 2016, registered at Police Station Jamul, District Durg (CG) for the offence punishable under Sections 498-A, 306/34 of the IPC.
2. The case of the prosecution, in brief, is that on 21-1-2016 deceased Smt. Reshma Khan @ Rani Soni committed suicide by hanging. She was married to Vikash Soni who is brother of applicant No.1 and son of applicants No. 2 and 3. It is alleged that she was subjected to torture and abetment by the present

applicants which led her to commit suicide and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the applicants are brother-in-law, father-in-law and mother-in-law of the deceased and they were living separately which would be evident from the statement of house-owner, Tirath Banjare. He would further submit that no abetment has been caused to the deceased by the present applicants, charge-sheet has been filed in this case, the applicants are in jail since 28-01-2016 and no further investigation is required, 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 statement of the house owner Tirath Banjare and one Amit Banjare which would show that before the incident some dispute took place between the applicants and the deceased and subsequently she committed suicide.
7. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and further considering the statements of the witnesses and also taking into fact that the charge-sheet has been filed and the applicants are in jail since 28-1-2016, 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