

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5634 of 2016

1. Suresh Sonwani S/O Tulsiram Suryavanshi Aged About 42 Years R/O Village Akaltari, P.S. Ratanpur, District Bilaspur. Civil & Revenue District Bilaspur, Chhattisgarh.
2. Smt. Ghasin Bai W/O Tulsiram Suryavanshi Aged About 72 Years R/O Village Akaltari, P.S. Ratanpur, District Bilaspur. Civil & Revenue District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Sandeep Shrivastava, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20-09-2016

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 26-6-2016 in connection with Crime No. 168 of 2016 registered at Police Station Ratanpur, District Bilaspur (CG) for the offence punishable under Section 306/34 of the IPC.
2. As per prosecution case, one Gulab Bai committed suicide by setting herself ablaze on 26-6-2016. It is alleged that applicant No.1 who is husband and applicant No.2 who is mother-in-law of the deceased used to ask the deceased for share in her matrimonial property and she was subjected to abetment, therefore, she committed suicide.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case. The marriage of the deceased with applicant No.1 took place 25 years back and out of their

wedlock four children were born and the statement of the brother of the deceased would show that no case is made out against the applicants. He would further submit that charge-sheet has been filed, the applicants are in jail 26-6-2016 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 statements of Leelambar Bhaskar and Chetan Bai, brother and sister of the deceased in which no positive allegations have been attributed to the present applicants.
7. Taking into consideration facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the statements of the brother and sister of the deceased and also the fact that charge-sheet in this case has been filed and the applicants are in jail since 26-06-2016, this court is 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