

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**M.CR.C. No. 4870 of 2016**

1. Chandraprakash, S/o. Shri Ramadhar Yadav, aged about 27 years,
2. Suraj Yadav, S/o. Ramadhar Yadav, aged about 22 years,
3. Karan Yadav, S/o. Late Shri Bhuwan Yadav, aged about 44 years,  
All R/o. Ward No.13, Punjabipara Mahasamund, P.S. - Mahasamund,  
Civil and Revenue District- Mahasamund (C.G.)

----Applicant

**Versus**

1. State of Chhattisgarh, Through : Station House Officer, Police Station  
– Mahasamund, Civil & Revenue District – Mahasamund (C.G.)

---- Respondent

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|----------------------|-----------------------------------------------------------------|
| For Applicant        | : Mr. Awadh Tripathi, Advocate with<br>Mr. Sunil Sahu, Advocate |
| For Objector         | : Mr. R.V. Rajwade, Advocate                                    |
| For Respondent/State | : Mr. Anupam Dubey, Dy. Govt. Advocate.                         |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**05/09/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.357/2016, registered at Police Station – Mahasamund, District – Mahasamund (C.G.) for the offence punishable under Section 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one Dinesh Bhoi committed suicide by hanging on 23.02.2016 and prior to the date of incident, the applicants, who are the manager and workers of the petrol

pump, where the deceased was working caused him assault for some dispute for which Dinesh Bhoi had made a report to the police. Subsequently, Dinesh Bhoi committed suicide for the abetment caused by the present applicants. Thereby the offence has been registered.

3. Learned counsel for the applicant submits that initially a report was made on 23.02.2016 and in the morgue statement, no incriminating statement has been made against the present applicants and on 15.07.2016 after five months of the incident, the statements of Lukeshwari and Laxmi Bai Soni were recorded and on that basis, the applicants have been implicated and the applicant have not committed any crime and because of the fact that marriage of the Lukeshwari was fixed else where, therefore, the deceased has committed suicide. Therefore, the counsel prays that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State as well as counsel for the objector opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary, documents, charge sheet, statements of the witnesses as also the postmortem report. Considering the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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.
9. Certified copy as per rules.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge

Balram