

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5251 of 2016

1. Bishat Nishad S/o Mayaram Nishad Aged About 60 Years R/o Village Siltara, Police Station Bhakhara, District Dhamtari Chhattisgarh
 2. Indibati Nishad W/o Bishat Nishad Aged About 58 Years R/o Village Siltara, Police Station Bhakhara, District Dhamtari Chhattisgarh
- Applicants**

Versus

- State of Chhattisgarh Through : Station House Officer, Police of Police Station - Bhakhara, District - Dhamtari Chhattisgarh
- Respondent**

For the applicant	:	Mr. Anil Gulati, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 174 of 2016 registered at P.S. Bhakhara, Distt. Dhamtari (C.G) for the offence punishable under Sections 306 read with Section 34 of IPC.
2. As per the prosecution case, one Tuleshwari Nishad committed suicide by setting herself ablaze on 11.06.2016. She was married to Tukaram who is son of the present applicants in the year 2008 and she was subjected to torture for which a case of domestic violence was filed which was later compromised. Thereafter she was abated to commit suicide by the applicants who are mother in law and father in law alongwith other co-accused.
3. Learned counsel for the applicants submits that the

applicants have been falsely implicated, the dispute had taken place between the husband and deceased on 10.06.2016 and they have not abated her to commit suicide. It is further submitted that the charge sheet in this case has been filed and the applicants are in jail since 04.07.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of witnesses.
6. Considering the facts and circumstances of the case and that the charge sheet in this case has been filed and the applicants are in jail since 04.07.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE