

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7489 of 2016

1. Gopal Ram Sahu S/o Kanhaiya Lal Sahu Aged About 42 Years
Occupation- Cultivator, R/o Village -Ghoghra, Police Station-
Tendukona, Tahsil- Pithora, District Mahasamund, Chhattisgarh.
2. Mukesh Kumar Sahu S/o Gopal Sahu Aged About 19 Years
Occupation- Cultivator, R/o Village Village-Ghoghra, Police Station-
Tendukona, Tahsil- Pithora, District Mahasamund, Chhattisgarh.
3. Mohanlal Sahu S/o Padumlal Sahu Aged About 51 Years Occupation-
Cultivator, R/o Village Village-Ghoghra, Police Station- Tendukona,
Tahsil- Pithora, District Mahasamund, Chhattisgarh.
4. Yogendra Kumar Sahu S/o Mohanlal Sahu Aged About 23 Years
Occupation- Cultivator, R/o Village Village-Ghoghra, Police Station-
Tendukona, Tahsil- Pithora, District Mahasamund, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station-
Tendukona, District Mahasamund, Chhattisgarh. **--- Respondent**

For the applicants	: Mr. Vikash Pradhan, Advocate
For the Respondent	: Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 103/2016 registered at P.S. Tendukona, Distt. Mahasamund (C.G) for the offence punishable under Section 306/34 IPC.
2. As per the prosecution case, in the intervening night of 15th/16th of August 2016, one Paurush committed suicide by hanging. Thereafter, a suicidal note was recovered from the pocket of deceased wherein the allegations have been levelled against the applicants that they have instigated and

abetted to commit suicide by the deceased, thereby the offence has been committed.

3. Learned counsel for the applicants would submit that the charge sheet in this case has been filed; no further investigation is necessary and even the reading of suicidal note seized by the Police would show that the applicants have not abetted the deceased to commit suicide. He further submits that applicants are in jail since 06.09.2016 and he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary as also the suicidal note.
6. Taking into the nature of evidence available and the facts and circumstances of the case especially the fact that the charge sheet has been filed, without any further observation on merits of the case, 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 them 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 till disposal of trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE