

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7846 of 2016**

1. Firat Ram, Aged About 39 Years, S/o Mahadeva Ram, Caste-Dhanwa,
2. Gulab Singh @ Firtu, S/o Mahadeva Ram, Caste Dhanwar,
3. Masurhin Bai @ Chandan Kunwar, Aged About 60 Years, W/o Mahadeva Ram, Caste Dhanwar,
4. Navgahin Bai @ Tilmati, Aged About 32 Years, W/o Gulab Singh, Caste Dhanwar,

All are R/o Village Sattigudi, Mohalla Salihabhatha, Police Chowki Pantora, Police Station- Baloda, Tahsil- Baloda, District- Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through: The District Magistrate, District- Janjgir-Champa, Chhattisgarh

---- Respondent

For applicants - Shri N.K. Chatterjee, Advocate.
For Respondent/State – Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****9/12/2016**

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.212/2016 registered in Police Station Chowki Pantora, P.S. Baloda, District Janjgir-Champa (CG) for offence punishable under sections 306, 323, 34 of Indian Penal Code (earlier registered as 302, 323/34 of IPC) after the PM report in place of 302 of IPC, 306 of IPC has been made.
2. As per the prosecution case, amount of Rs.500/- was given by father of the complainant to one Mahadeva for preparation of ration card, however after lapse of two years the said ration card was not prepared as such some dispute took place in between the parties. Subsequently, on 31/10/2016 when money was demanded, applicants assaulted complainant and his wife. Thereafter, she consumed poison which during

the investigation was established by statement of Teejram and Sampatlal.

3. Learned counsel for the applicants submits that for the reasons best known to the deceased she consumed poison and the applicants have not abetted the deceased to commit suicide and it was only on the trivial issue the altercation started and no one had any idea that the deceased will consume poison to commit suicide. It is further submitted that in this case earlier case under Section 302 of IPC was registered, which was subsequently after investigation registered under Section 306 of IPC and the applicants are in jail since 14/11/2016, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail, however, do not dispute the fact that earlier the case was registered under Section 302 of IPC which was subsequently after investigation registered under Section 306 of IPC.

5. Perused the case diary and the statement of Teejram to whom the deceased had informed. Taking into such document and the evidence available, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE