

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5438 of 2017

Dharmendra Yadav S/o Shri Laxman Yadav, Aged About 40 Years R/o Ward No.63, Ruwabandha, Sector Bhilai, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg, District Durg, Chhattisgarh

---- Respondent

And

MCRC No. 5501 Of 2017

Pradeep Kumar S/o L. Swami, Aged About 44 Years R/o Chouhan Town, C/2, Outpost Jewra Sirsa, Tahsil & District- Durg Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh Through The District Magistrate Durg District Durg Chhattisgarh.

---- Respondent

Shri T.K.Jha, counsel for the applicants.
Shri Avinash Singh, Panel Lawyer for the State.
Shri Shikhar Sharma, counsel for the objector.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

Both the applications are heard together.

The applicants have been arrested in connection with Crime No.74//2017 registered at Police Station – Pulgaon, Durg (CG) for alleged commission of offences under Section 306/34 of IPC.

2. Case of the prosecution is that the deceased – Tungdev Verma was a Contractor and he had executed some work for the applicant – Dharmendra, but

despite repeated demands, Dharmendra was not giving his remuneration. The allegation against Pradeep Kumar is that the deceased had taken loan from Pradeep Kumar, but because of financial difficulties, the deceased was unable to repay the loan and Pradeep Kumar was pressurizing him.

3. Learned counsel for the applicants submits that the material on the basis of which, applicants have been made accused, does not satisfy the ingredients of Section 306 IPC. It is submitted that investigation is complete, charge sheet has been filed and the applicants are not likely to abscond or tamper with the prosecution witnesses.

4. On the other hand, learned State counsel opposes bail applications and submits that in the case diary of the deceased, it has been found that he committed suicide because of the circumstances created by the applicants and three other accused who did not pay money or were insisting repayment of loan.

5. Taking into consideration the submission of learned counsel for the parties and material on record and that investigation is complete, charge sheet has been filed, I am inclined to grant bail to the applicants.

6. Accordingly, the applications are allowed. 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/- along with one local surety for the like amount to the satisfaction of the Trial Court. They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge