

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 6736 OF 2017

1. Bullu Ram S/o Somaru Aged About 80 Years
2. Sonkunwar W/o Bullu Ram Aged About 75 Years

Both by Caste Harijan, R/o Shivsagarpur , Police Station Jaynagar, Tahsil
& District Surajpur Chhattisgarh.

... Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police Station Jaynagar
District Surajpur Chhattisgarh.

... Respondent

For Applicants	:	Shri Rahul Mishra, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/12/2017

1. This is the first bail application seeking for grant of bail to the Applicants who are in jail since 03.10.2017 in connection with Crime No.274 of 2017 registered at Police Station Jaynagar, Distt. Surajpur for the offence punishable under Section 306/34 IPC.
2. As per prosecution, the applicants and other co-accused persons is said to have subjected ill treatment and cruelty with their daughter in law Santoshiya which led to commission of suicide by Santoshiya on 09.09.2017 by jumping in the Well.
3. Learned Counsel for the applicants submits that the only allegation levelled against the applicants is that of not providing food to the deceased and that there is no other allegation of ill treatment given to the deceased. Neither is there any material available in the case diary in this regard. He further submits that both the applicants are

very old aged persons i.e. 80 and 75 years respectively, and therefore, the present applicants may be released on bail.

4. Counsel for the State opposes the bail application on the ground that the present applicants is said to have ill treated the deceased to the extent of forcing her to commit suicide.
5. Considering the facts and circumstances of the case and taking note of the nature of allegation levelled against the applicants particularly that of deceased not being provided with food and that there being no other serious allegation against them and also considering the age of the applicants and the period of custody undergone by them, this Court is of the opinion that the present is a fit case where the Applicants can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.20,000/- each with one surety of the like sum to the satisfaction of the concerned Trial Court for their appearance as and when directed.

Sd/-

(P. Sam Koshy)
Judge