

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 63 of 2017

- 1. Goverdhan S/o Nehru Verma Aged About 50 Years R/o Village Koliha, Police Station- Kasdol, District Balodabazar- Bhatapara, Chhattisgarh.
 - 2. Fulesh Verma S/o Goverdhan Verma Aged About 28 Years (Wrongly Mentioned As 26 Years In The Rejection Order), R/o Village Koliha, Police Station- Kasdol, District Balodabazar- Bhatapara, Chhattisgarh.
- Applicants**

Versus

- State of Chhattisgarh Through The Incharge, Outpost- Lawan, Police Station- Kasdol, District- Balodabazar- Bhatapara, Chhattisgarh. ----
- Respondent**

For the applicants	:	Mr. Goutam Khetrapal, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.01.2017

- 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. 484/2016 registered at Police Out Post Lawan, Police Station Kasdol, District Balodabazar-Bhatapara (C.G) for the offence punishable under Sections 498-A, 306/34 of IPC.
- 2. As per the prosecution case, on 27.8.2016 one Manmati alongwith her daughter of six months committed suicide by setting herself on fire. It is alleged that the present applicant who is father-in-law and the applicant No.2 who is husband used to harass the deceased and caused abetment to commit suicide as she was not able to bear a male child, consequently the incident took place.
- 3. Learned counsel for the applicants would submit that the

applicants have been falsely implicated in this case. He placed reliance on a case law reported in ***AIR 2002 SC 1998*** and would submit that the ingredients in the like nature do not take the case within the sweep of section 107 of Cr.P.C., for abetment, therefore, the applicants may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of father Laharam and the statement of Bansram Verma, who is one of the independent witnesses. Taking into such statements, without any further observation on merits of the case, I am inclined to allow this bail application.
6. 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 the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE