

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 327 of 2017

- 1. Sewak Ram Thakur S/o Mukand Thakur, Aged About 30 Years R/o Village Fekari, Police Station Utai, Tahsil And District Durg Chhattisgarh
 - 2. Smt. Nutan Thakur, W/o Sewak Ram, Aged About 25 Years R/o Village Fekari, Police Station Utai, Tahsil And District Durg Chhattisgarh
- Applicants**

Versus

- State of Chhattisgarh Through District Magistrate, Durg District Durg Chhattisgarh
- Respondent**

For the applicants	:	Mr. Praveen Dhurandhar, Advocate
For the Respondent	:	Mr. U.K.S. Chandel. Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.1.2017

- 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. 257/2016 registered at P.S. Utai, District Durg (C.G) for the offence punishable under Sections 306/34 of IPC.
- 2. As per the prosecution case, on 28.8.2016 one Anjali Thakur committed suicide by hanging. It is alleged that the present applicant No.1 Sewak Ram Thakur was husband and applicant No.2 was second wife of applicant No.1 and the deceased was his first wife. The deceased was married to applicant no.1, five years prior to the date of incident. It is alleged that she was abetted to commit suicide, therefore, the offence has been committed.
- 3. Learned counsel for the applicants would submit that as per the statement of Alakh Ram, father of deceased, applicant

No.1 was residing separately from applicant No.2 and the applicants have not abetted the crime, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents.
6. Considering the nature of allegations and the proximity of the act done with the suicide and further taking into the facts and circumstances of the case especially the fact that the charge sheet in this case has been filed and the applicants are in jail since 17.11.2016, 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.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**