

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3494 of 2017

1. Suman Jloyhe W/o Late Umashanker Jloyhe, Aged About 24 Years, R/o Village Dhurkot, Police Station- Dabhra, District- Janjgir- Champa, Chhattisgarh.
2. Tabij Ram Manhar S/o Late Nankiram Manhar, Aged About 66 Years, R/o Village Dhurkot, Police Station- Dabhra, District- Janjgir- Champa, Chhattisgarh.
3. Ranjit Mahnar S/o Tabij Ram, aged about 23 years, R/o Village Dhurkot, Police Station- Dabhra, District- Janjgir- Champa, Chhattisgarh.
4. Sanjit Manhar, S/o Tabijram Manhar, Aged About 21 Years, R/o Village Dhurkot, Police Station- Dabhra, District- Janjgir- Champa, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Dabhra District- Janjgir- Champa, Chhattisgarh.

---- Non-applicant

For Applicants – Shri Amarnath Pandey, Advocate.

For Non-applicant/State – Shri Anil Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14-06-2017

1. This is first bail application filed under Section 439 of the Cr.P.C. seeking grant of bail to the applicant in connection with Crime No.392/2016 registered at Police Station Dabhra District Janjgir-Champa, C.G. for the offence punishable under 306/34 of the IPC.

2. As per the prosecution, one Umashankar committed suicide by hanging on 21-09-2016. It is alleged that applicant No.1 Suman Jloyhe, wife of deceased along with his in-laws members, i.e., Tabij Ram, father-in-law, Ranjit, brother-in-law and Sanjit brother-in-law has instigated and abetted the deceased to commit suicide as false allegations were attributed against the deceased.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and there is no abetment to commit suicide. He caught in trivial issues and committed suicide. He further submits that

alleged suicidal note also has not been affirmed that it was written by the deceased and even the same cannot be considered to be instigation or abetment to commit suicide; learned counsel further submits that charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Charge sheet in this case has been filed; considering the nature of this case, the allegation, statement of witnesses and the fact that the applicants are in jail since 23-02-2017, this Court is inclined to release the applicants on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

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

8. C.C. as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge