

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M. Cr. C. (A) No. 1071 of 2017**

1. P. Narsimha S/o P. Thelih, aged about 58 years, R/o Quarter No. C-2/137, Sanitary Colony, Ratanpur, District Pedapali, Telangana
2. P. Vijiya S/o Narsimha, aged about 48 years, R/o Quarter No. C-2/137, Sanitary Colony, Ratanpur, District Pedapali, Telangana
3. P. Kalyan Veena S/o P. Narsimha, aged about 27 years, R/o Quarter No. C-2/137, Sanitary Colony, Ratanpur, District Pedapali, Telangana

---- Applicants**Versus**

State of Chhattisgarh through Station House Officer, Police Station
Tarbahar, Bilaspur, Civil & Revenue District Bilaspur Chhattisgarh

---- Respondent**and****M. Cr. C. (A) No. 1073 Of 2017**

P. Chetan Veena S/o Shri P. Narsimha, aged about 28 years, R/o
Quarter No. C 2/137, Sanitary Colony, Ratanpur, District Padapali,
Telangana.

---- Applicant**Vs**

State of Chhattisgarh through the Station House Officer, Police Station
Tarbahar, Bilaspur, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Shri Surfaraj Khan, Advocate
For Respondent/State	:	Shri Garry Mukhopadhyay, Govt. Advocate
For Objector	:	Shri Vimal Tondey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****14/12/2017**

The present applications under Section 438 of Cr.P.C. have been filed seeking grant of anticipatory bail to the applicants apprehending their arrest in connection with Crime No. 355/2017 registered at Police Station Tarbahar,

Bilaspur, Civil and Revenue District Bilaspur (CG) for the offence punishable under Section 306 of IPC.

2. The applicants in the present case are father-in-law and brothers-in-law of the deceased. The deceased is Dr. Karuna and her marriage was solemnized with Dr. Venkat on 21.08.2016. She committed suicide on 24.09.2017 by consuming Eucalyptus.

3. The case, as per the prosecution, against the applicants is that they had been subjecting the deceased to ill treatment and torture which ultimately compelled her to commit suicide on 24.09.2017.

4. Counsel for the applicants submits that father-in-law and 3 brothers-in-law are the applicants herein who were not residing at Bilaspur and were not staying with the deceased. The deceased was staying with her husband Dr. Venkat alone at Bilaspur when the incident occurred, therefore, the ingredients for the offence under Section 306 IPC are not available in the case diary and the applicants deserve to be released on anticipatory bail.

5. Counsel appearing for the State as well as the Objector, however, oppose the bail application on the ground that the applicants have been harassing and subjecting the deceased to cruelty which led her to commit suicide.

6. Considering the facts and circumstances of the case, particularly the nature of allegation leveled against the applicants, this court is of the opinion that prima facie, a strong case for grant of anticipatory bail is made out.

7. In the result, the applications u/s 438 Cr.P.C. are allowed. It is directed that in the event of arrest of the present applicants in connection with the aforesaid offence, they will be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the Officer arresting them or the Court concerned, as the case may be, with the following terms and conditions:

(i) that the applicants shall make themselves available for

interrogation before the concerned Investigating Officer as and when required;

(ii) that the Applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the Applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the Applicants shall appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
Judge