

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 163 of 2017

1. Yugal Kishore, S/o. Dheluram Sahu, Aged About 32 Years.
2. Dheluram Sahu, S/o. Laltu Sahu, Aged About 62 Years.

Both are R/o. Village- Kirwai, Police Station- Rajim, Civil District
Gariyaband, Revenue District- Raipur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through- Police Station- Rajim, Civil District
Gariyaband, Revenue District- Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/01/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.241/2016 registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 24.08.2016 one Varsha Rani committed suicide by consuming poison. It is alleged that she was suffering with some ailment for which the applicant No.1 who is husband alongwith applicant No.2 used to abet her that she is an ailing lady and consequently abetted the deceased to commit suicide.
3. Learned counsel for the applicants would submit that this is the second bail application, the earlier bail application was dismissed

as withdrawn on 22.11.2016 with liberty to repeat the same after filing of the charge sheet. He further submits now the charge sheet has been filed and the applicants have been falsely implicated as the deceased herself was suffering with an ailment and as such she committed suicide by consuming poison and the applicants have not abetted the deceased; therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of allegation against the applicants and further considering the fact that the charge sheet has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge