

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 213 of 2017

1. Vishnu Sharan Singh S/o Shri Jagbandhan Singh, Aged About 63 Years
R/o Giddhgudi, Police Station Khadgawa, District Korea Chhattisgarh
2. Bidhwan Singh S/o Shri Vishnu Sharan Singh, Aged About 37 Years R/o
Giddhgudi, Police Station Khadgawa, District Korea Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police of Police
Station Khadgawa, District Korea Chhattisgarh

---- **Respondent**

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25-01-2017

1. This is 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 on 3-11-2016 in connection with Crime No. 164 of 2016, registered at Police Station Khadgawa, District Korea (CG) for the offence punishable under Section 306 read with Section 34 of the IPC. Earlier first bail application was dismissed as withdrawn with liberty to file afresh after charge-sheet is filed on 20-12-2016.
2. Case of the prosecution, in brief, is that on 5-3-2016 one Ramsingh committed suicide by hanging. It is alleged that Ramsingh installed one stone in the land of the present applicants and was worshipping, the same was objected and he was advised to remove the stone for which villagers were called. Subsequently, on that issue a dispute arose and deceased committed suicide. It is further alleged that present applicants had abetted

such commission of suicide by Ramsingh and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the entire case would show that the applicants have not committed any offence of abetment. He would further submit that the applicants have been falsely implicated in the case, charge-sheet has been filed in this case, the applicants are in jail since 3-11-2016 and no further investigation is required, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statement of Dalbir Singh, son of the deceased wherein no direct allegations have been attributed to the applicants.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the statement of son of the deceased and also the fact that charge-sheet in this case has been filed and the applicants are in jail since 3-11-2016, I am inclined to release the applicants on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

