

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 791 of 2018

1. Manoj Bharti, son of Jhaduram, aged about 40 years, resident of village Hanoda, Police Station Chowki Padamnabhpur, Tahsil and District Durg (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, P. S. Newai, District- Durg (Chhattisgarh).

---- Respondent

AND

MCRC No. 799 of 2018

1. Smt. Mongra Bharti, wife of Manoj Bharti, aged about 35 years, resident of village Hanoda, Police Station Chowki Padamnabhpur, Tahsil and District Durg (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, P.S. Newai, District- Durg (Chhattisgarh).

---- Respondent

For Applicant	: Mr. B. P. Singh, Advocate.
For Respondent/State	: Mr. Ashok Swarnkar, P. L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

02/04/2018

1. Since both bail applications arise out of the same crime number, they

are being disposed of by this common order.

2. Both applications are the first bail applications 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. 125/2017, registered at Police Station- Newai, District -Durg (Chhattisgarh) for the offence punishable under Sections 306, 34 of the Indian Penal Code (for short 'the IPC').
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case. The applicants are in jail since 06.06.2017, no case is made out against the applicants regarding the offence of abatement to commit suicide. He further submits that, there is no material available in the charge-sheet against the applicants, Hence, it is prayed that applicants be enlarged on regular bail.
4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. The case of the prosecution is that on the date of incident 28.01.2017 the deceased namely Sunita Gayakwad was called in the house of the applicants and on the allegation that she was a party in the incident of abduction of their daughter, after abusing and assaulting her, they caused injury to the deceased because of which she was very upset, frustrated and on account of the insult given to her, she had thrown herself in front of the running train and committed suicide.
7. Considering the entire material present in the case diary, and present circumstances of the case, I am inclined that applicants should be benefited with grant of regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. of

Applicants are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Amita