

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1692 of 2018**

1. Teraseya Bai W/o Budhsen Aged About 50 Years Caste Gond R/o Magardaha Dafhai, Ladari Collery, P.S. Jhagarkhand, Tahsil Manendragarh, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Suman Singh W/o Dalpat Aged About 28 Years Caste Gond R/o Magardaha Dafhai, Ladari Collery, P.S. Jhagarkhand, Tahsil Manendragarh, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through- P.S. Jhagarakhand, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicants : Dr. Shailesh Ahuja, Advocate.
For the Respondent/State : Shri Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.04.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.186 of 2017, registered at Police Station Jhagarakhand, District – Korea, Chhattisgarh for the offence punishable under Sections 498A and 306/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 24.11.2017 and have been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution and the case is pending before the concerned

Court. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that according to the evidence present in the prosecution case no case is made out for grant of regular bail to the applicants.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, the marriage of deceased – Phoolkali with Ashok Kumar was solemnized in April, 2013. For about one year, the things went on well, but after that it is alleged that both the applicants started to raise disputes with the deceased on account of some household works. It is submitted that three years prior to the date of incident, the elder brother of husband of the deceased had poured kerosene over the body of the deceased with intention to burn her, but due to intervention of husband of the deceased the incident was stalled. The deceased committed suicide on 17.10.2017. After the inquest procedure, FIR was lodged on 22.10.2017. Hence, this case.

6. Considering the case diary statement of the witnesses and the overall substance of the case, I am of the considered view that in this case the applicants deserves to be enlarged on bail.

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

8. It is directed that 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge