

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4001 of 2018

1. Smt. Chandrakala Dewangan W/o Sharad Kumar Dewangan, aged about 38 years,
2. Smt. Mamta Dewangan, W/o Birendra @ Veeru Dewangan, aged about 31 years,
Both R/o Village- Dundera, Gayatri Nagar, P.S.- Uttai, District- Durg (C.G.).

--- Applicants

Versus

State of Chhattisgarh through P.S.- Uttai, District Durg (C.G.).

---- Respondent

AND

MCRC No. 4002 of 2018

1. Bhuwanlal Dewangan, S/o Late Baikunthram Dewangan, aged about 70 years,
2. Sharad Kumar Dewangan S/o Bhuwanlal Dewangan, Aged about 42 years,
3. Birendra @ Veeru S/o Bhuwanlal Dewangan, aged about 34 years

All R/o Village- Dundera, Gayatri Nagar, P.S.- Uttai, District- Durg (C.G.).

---- Applicants

Versus

State of Chhattisgarh through P.S.- Uttai, District Durg (C.G.).

---- Respondent

For Applicants	:	Mr. P.R. Patankar, Advocate
For Respondent	:	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/06/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they

are being disposed of by this common order.

3. The applicants have preferred first bail applications (in both the cases) under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 141/2018 registered at Police Station- Uttai, Distt.- Durg (C.G.) for the offence punishable under Sections 306 read with 34 of IPC.
4. As per prosecution story deceased- Geetanjali Dewangan was married to Rajendra Kumar Dewangan on 12/06/2012 and they had a daughter of 5 years. Rajendra Dewangan is working in the army. Applicant – Bhuwan is the father-in-law of the deceased, applicants- Sharad and Birendra are the brother's-in-law of the deceased and applicants- Chnadrakala and Mamta are the sister's-in-law of the deceased. On 21/04/2018 at about 11:45, deceased- Geetanjali hanged herself with the help of nylon rope from the ceiling fan. Merg was recorded and Panchnama was prepared. On the basis of merg enquiry, offence was registered. It is alleged that all the applicants were mentally and physically harassing the deceased and abetted her for committing suicide. The applicants were arrested on 03/05/2018.
5. Counsel appearing on behalf of the applicants submits that there is nothing on record which could show that the applicants abetted the deceased for commission of suicide. Only allegation against the present applicants is that because of household work, they harassed the deceased. He further submits that prima-facie no offence under Section 306 of IPC is made out against any of the applicants. He prays for releasing of the applicants on bail.

6. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
7. I have heard learned counsel for both the parties.
8. Considering the above facts and circumstances of the case, particularly considering that charge-sheet has already been filed and the applicants are in custody since 03/05/2018, without further commenting on merit of the case, I am inclined to release the applicants on bail.
9. Accordingly, the bail applications are allowed. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 10,000/- with one surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-

Judge
Arvind Singh Chandel