

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4682 of 2018

- Smt. Devki Sahu W/o Shri Mohit @ Nannu Aged About 22 Years R/o Barouda, Police Station Vidhansabha District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Vidhansabha District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

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MCRC No. 4727 of 2018

1. Smt. Ranu Sahu W/o Shri Kamleshwar Sahu Aged About 27 Years R/o Barouda, Police Station Vidhansabha, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Mohit Sahu S/o Shri Budharu Ram Sahu Aged About 25 Years R/o Barouda, Police Station Vidhansabha, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Vidhansabha, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Mrs. Fouziya Mirza, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

24/07/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Both these applications filed under Section 439 of the Code of Criminal Procedure, 1973 are second bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.99/2018 registered at Police Station-Vidhansabha, Raipur, District – Raipur(C.G.) for the offence punishable under Sections 306, 34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. They are in jail since 31.03.2018. No case is made out against them. The deceased Droupati Sahu had suspicion that her husband Dev Narayan Sahu had illicit relation with applicant Smt. Devki Sahu, her sister-in-law, because of which a social meeting was also held, in which, it was decided that the deceased shall live separate from her husband and in-laws and that decision was complied and she was living separately. The deceased has committed suicide on 23.3.2018, while she was living separately and having no interaction with the applicants, therefore, it is not a case of abetment for committing suicide. Hence, it is prayed that they may be released on regular bail.

4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. According to prosecution case, deceased Droupati Sahu committed suicide along with her minor son of 1 ½ years by setting herself ablaze by pouring kerosene oil over her body, consequently both of them died immediately.
7. Considered on the entire material present in the case diary, looking to the nature of allegation and the evidence in support of that, I am of this view that this is a fit case where applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. 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 trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge