

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5332 of 2018

Manish Vishwakarma S/o Late Mahangilal Vishwakarma, aged about 40 years
R/o behind Mukund Bhawan, Baidhnath para, Police Station City Kotwali, Tahsil
and District- Durg (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through Police Station Magarlod (outpost Bade Kareli),
District, Dhamtari (C.G.)

---- Respondent

AND

MCRC No. 5355 of 2018

Khelawan Sahu S/o Derharam Sahu, aged about 36 years, R/o Village-
Chandrasur, Police Station- Magarlod, District- Dhamtari (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station- Magarlod
District, Dhamtari (C.G.)

---- Respondent

AND

MCRC No. 5388 of 2018

Moolchand @ Tejram S/o Firturam Sahu, aged about 36 years, R/o Village-
Chandrasur, P.S.- Magarlod, Distt. Dhamtari (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station- Magarlod
District, Dhamtari (C.G.)

---- Respondent

For Applicant (in MCRC 5332/2018) :	Mr. Abhishek Sharma, Advocate
For Applicant (in MCRC 5355/2018) :	Mr. C.R. Sahu, Advocate
For Applicant (in MCRC 5388/2018) :	Ms. Indira Tripathi, Advocate
For Respondent :	Mr. Anil Pandey, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

20/08/2018

1. Since all the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 114/2018 registered at Police Station-Magarlod, Distt. Dhamtari (C.G.) for the offence punishable under Section 306/34 of the IPC.
3. As per prosecution story on 30/03/2018, one Rohit Kumar R/o Chandrasur committed suicide by consuming poison. One suicide note was also found in his pocket, wherein it has been mentioned that at the time of demonetization, all the applicants along with deceased earned Rs. 15,00,000/- due to which a dispute arose between them, thereafter, all the applicants started mentally and physically harassing and torturing Rohit, due to which he committed suicide. The applicants were arrested on 30/05/2018.
4. Counsel for the applicants submit that all the applicants are innocent and have been falsely implicated in the present case. There is nothing on record on the basis of which prima-facie offence under Section 306/34 of the IPC has been made out. It has been further submitted

that there is nothing on record on the basis of which, it can be said that any of the applicants instigated or abated the deceased for committing the suicide. All the applicants are in jail since 30/05/2018, charge-sheet has already been filed and the trial will likely to take some time to conclude, therefore, all the applicants may be released on bail.

5. Per contra, learned counsel appearing on behalf of the State opposes the bail application and submits that there is sufficient evidence against all the applicants.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering the evidence collected by the prosecution and that the applicants are in custody since 30/05/2018, charge-sheet has been filed and the trial will likely to take some time to conclude, without further commenting on merit of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs.25000/- with one local solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-
Judge
Arvind Singh Chandel