

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6996 of 2018

- Manish Masih & Anr. S/o Mahesh Masih Aged About 30 Years R/o Rasaiepara, Nr. Nageshwar Mandir, Dhamtari, Tehsil And District- Dhamtari, Chhattisgarh
- Anis Masih S/o Mahesh Masih Aged About 27 Years R/o Rasaiepara, Nr. Nageshwar Mandir, Dhamtari, Tehsil And District- Dhamtari, Chhattisgarh.

----Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali, Dhamtari, Tehsil And District- Dhamtari, Chhattisgarh.,

---- Respondent

For Applicants	: Shri Arun Kumar Shukla, Advocate
For Respondent/State	: Shri Anupam Dubey, Dy.G.A.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/10/2018

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.387/2018 registered at police station City Kotwali, District Dhamtari (CG) for the offence punishable under Section 306/34 IPC.

As per prosecution case, deceased is the cousin brother of applicants and on 07.07.2018 some altercation took place between them as the deceased was a habitual drunkard and after getting intoxicated used to abuse the members of the family. It is further case of the prosecution that after the said quarrel, he came home, feeling guilty conscious, went to his room and committed suicide by hanging.

Counsel for the applicants submits that the applicants have been falsely implicated and that it is a case of suicide. He further submits that the applicants are in jail since 28.08.2018 and the trial will take time for final disposal and therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants furnishing a personal bond of Rs. 20,000/- with one surety each in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-

(Rajani Dubey)
Judge