

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7054 of 2018**

1. Ghanshyam Das S/o Puhup Das Manikpuri, aged about- 34 years.
2. Smt. Firantin W/o Puhup Das Manikpuri, aged about- 53 years,

Both are R/o Village- Kuthroud, Thana- Suhela, District- Baloda-Bazar-
Bhatapara, (C.G.).

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station House Officer, Thana- Suhela,
District- Baloda-Bazar – Bhatapara, (C.G.).

---- Respondent

For Applicant	: Shri Deepak Jain, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/10/2018

1. The Applicant have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 93/2018, registered at Police Station – Suhela, District- Baloda-Bazar – Bhatapara, (C.G.), for the offence punishable under Section 306/34 of the Indian Penal Code.
2. As per the prosecution story, Applicant No. 01 is the husband and Applicant No. 02 is the mother-in-law of the deceased Purnima. Marriage between the deceased and the Applicant No. 01 was solemnized prior to ten years of the incident. Due to domestic violence, on 18.03.2018, deceased Purnima poured kerosene oil on her body and tried to fire herself. On 23.03.2018, during course of treatment, she died in the Hospital. During investigation, it was found that after marriage both the Applicants used to torture her and abuse

her saying that she only gives birth to girl child. Due to domestic violence, she tried to commit suicide by pouring kerosene oil on her body. On the above allegations, offence has been registered against the Applicants. They have been taken into custody since 17.07.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further states that there is no evidence on record, on the basis of which prima facie, offence under Section 306 can be made out against the Applicants. The Applicants are in custody since 17.07.2018 and trial will take some time. Charge-sheet has been filed. Therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants are in custody since 17.07.2018, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

