

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7506 of 2018**

1. Krishna Aditya, aged about 30 years, son of late Ramesh Kumar.
 2. Balram Aditya, aged about 31 years, son of late Ramesh Kumar.
- Both are resident of Village Khokhara, P.S. Janjgir, District Janjgir-Champa (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Balco,
District Korba (CG).

---- Non-applicant

For Applicants	: Mr. Raghvendra Pradhan, Advocate.
For Non-applicant	: Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.346/2018 registered at Police Station Balco, District Korba for the offence punishable under Sections 306, 506, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that Applicant No.2-Balram Aditya is a brother of Applicant No.1-Krishna Aditya. There was a love affairs between Applicant No.1-Krishna Aditya and deceased Brinda. They have made their relationship for five years. Thereafter, Applicant No.1-Krishna Aditya performed marriage with another woman. On 29.04.2016 deceased Brinda committed suicide by hanging herself. When she was alive Applicant No.2-Balram Aditya had given threatening to kill her.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case hence they may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicants. However, he submits that no criminal antecedent reported against the applicants in the police case diary.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is

inclined to give benefit of Section 439 of the Cr.P.C. to the applicants. Accordingly, the bail application is allowed.

7. It is directed that if the applicants furnishes one solvent surety for a sum of Rs.25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-