

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1824 of 2019**

Somaru, S/o Ghuran, aged about 55 years, R/o Village Phuphutra, Police Station
& Tahsil Lakhanpur, District Surguja (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Lakhanpur, District Surguja (CG).
---- Non-applicant

For Applicant	: Mr. Anurag Singh, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.04.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant 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.215/2018 registered at Police Station Lakhanpur, District Surguja for the offence punishable under Section 306 read with Section 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that the applicant is the father-in-law of deceased Anchal Yadav. The marriage of deceased was solemnized with co-accused Ravi Yadav on 18.04.2018. After some time of marriage, co-accused Ravi Yadav was harassing her on account of demand of cash Rs.50,000/- for purchasing motorcycle. Her mother-in-law and the present applicant were also used to beat her due to which on 24.10.2018 deceased consumed poison as a result of which she died.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. As per true copy of order dated 06.03.2019 passed in M.Cr.C.(A) No.281/2019 (**Sumitra Yadav & Anr. Vs. State of Chhattisgarh**) by co-ordinate Bench of this Court, which is a part of bail application, the mother-in-law Sumitra Yadav and sister-in-law Chandramani Yadav of deceased have already been released on anticipatory bail.
7. The case of the present application is not more severer than case of said co-accused namely Sumitra Yadav and Chandramani Yadav, who have been enlarged on bail by co-ordinate Bench of this Court. The case of the applicant is identical to the said co-accused.
8. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-