

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2623 of 2019**

1. Punitlal Verma S/o Ram Kumar Verma Aged About 41 Years

2. Pukhraj Verma S/o Ramkumar Verma Aged About 31 Years

Both R/o Village Pendraavan Police Station Dhamdha District Durg CG

---- Applicants**Versus**State Of Chhattisgarh Through Station House Officer, Dhamdha
District Durg Chhattisgarh**---- Respondent**

For applicants	Mr. Anurag Jha, Adv.
For Respondent/State	Mrs. M. Asha, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****1-5-2019**

1. This is 3rd bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court. Their 1st bail application MCRC no. 591/2019 was dismissed in default by a peremptory order dated 23-1-2019, then 2nd bail application MCRC No. 1414/2019 was dismissed vide order dated 5-4-2019 for want of prosecution.
2. The applicants have been arrested in connection with Crime No. 185/2018 registered in police station Dhamdha, Distt. Durg (CG) for offence punishable under Section 306/34.
3. Perused the case diary.
4. Prosecution story in brief is that name of the deceased is Yogesh Verma @ Mukesh Verma. On 29-8-2018 he committed suicide by hanging himself. From the pocket of his full pant one suicidal note was recovered. As per the alleged suicidal note, the applicants had tried to kill him and threatened him to either commit suicide or they will kill him in his house.
5. Counsel for the applicants argued that the applicants are innocent and falsely implicated. He further submits that there is no ingredient of abetment. There is no expert report that the alleged suicidal note was written by the deceased himself. The full pant from which the alleged suicidal note was recovered has not been seized. The applicants are in jail since 13-10-2018. FIR is delayed. Hence they may be released

on bail.

6. On the other hand, the State Counsel opposed the bail application. He further submits that one more case under IPC has been registered against each of the applicants.
7. Prima facie it cannot be said that there is no abetment in the case in hand.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.
9. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge