

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3148 of 2019

1. Mahngu Baghel S/o Malikram Baghel Aged About 40 Years R/o Village Karhi Kachhar, Police Chowki Belgahna, Police Station Kota, And District Bilaspur Chhattisgarh.
2. Rajkumar Baghel S/o Malikram Baghel Aged About 25 Years R/o Village Karhi Kachhar, Police Chowki Belgahna, Police Station Kota, And District Bilaspur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Its Police Chowki Belgahna, Police Station Kota, District Bilaspur Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ravi Maheshwari, Advocate.
For Respondent/State	: Mr. D.P. Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/05/2019

1. The applicants 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. 197/2019, registered at Police Station Kota, District Bilaspur (C.G.) for the offence punishable under Sections 306/34 of the IPC.
2. In this case, deceased Nitin Sahu was missing since 19.02.2019. On 21.02.2019, his dead body was found inside the jungle. It was found that he committed suicide by hanging himself. Morgue was lodged by father of the deceased namely Dipak Sahu. Allegedly, there was a love relationship between the deceased and daughter of Applicant No. 1 Mahngu Baghel due to that the applicants along with other co-accused persons pressurized and harassed him to marry with Applicant's No. 1 daughter they have also threatened him that if he will

not marry with Applicant's No. 1 daughter then they will implicate him in Atrocities Act, due to that the deceased committed suicide. On the basis of said background, offence has been registered. The applicants are in custody since 18.04.2019.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that there is nothing on record on the basis of which prima facie offence under Section 306 of the IPC can be made out against the applicants. The applicants are in custody since 18.04.2019, charge-sheet has already been filed and trial is likely to take some time, therefore, the applicants may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that the applicants are in custody since 18.04.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 25,000/- 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