

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3474 of 2019

1. Narad Ram Dhruwanshi & Anr. S/o Banshi Lal Dhruwanshi Aged About 50 Years
2. Yuvraj Dhruwanshi S/o Banshi Lal Dhruwanshi Aged About 20 Years.

Both R/o Village - Bhendarwani, Post Office & Police Station - Bhakhara, District - Dhamtari (CG)

---- Applicants

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station - Bhakhara, District - Dhamtari (CG)

---- Respondent

For Applicants	:	Shri Shivendu Pandya, Advocate
For Respondent	:	Shri Anand Verma, Dy. Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

24/5/2019

1. This is first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to applicants who have been arrested on 7.3.2019 in connection with Crime No.41/19 registered at Police Station Bhakhara, District Dhamtari (CG) for the offence punishable under Section 306/34 of the Indian Penal Code
2. Allegation against the applicants is that on account of visit of parents of deceased to the house of applicants, they harassed and ill-treated the deceased to an extent that she committed suicide by setting her ablaze after pouring kerosene oil at her matrimonial home and thereby they committed the offence as stated above.
3. Learned counsel for the applicant submits that the applicants are

innocent and have been falsely implicated in the crime in question. He submits that on the basis of allegations levelled against these applicant, no offence under Section 306 of IPC would be made out against them. The applicants are in custody since 7.3.2019, charge sheet has already been filed and trial is likely to take time. Hence, the applicants may be released on bail.

4. On the other hand, learned State Counsel opposes the prayer for grant of bail. He submits that the acts attributed to applicants amount to abetment and prima facie an offence under Section 306 of the IPC is made out.
5. Considering the facts & circumstances of case, nature of allegation levelled against the applicants, the fact that they are in custody since 30.4.2019 and conclusion of trial is likely to take time, but without commenting anything on merits, I am inclined to release the applicants on regular bail.
6. Accordingly, the application is allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety each in the like sum to the satisfaction of the trial Court concerned. They are directed to appear before the trial Court concerned on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge

roshan/-