

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3934 of 2019

1. Dev Kumar Sahu S/o Late Savat Ram Sahu Aged About 51 Years
2. Dhanesh Ram Sahu S/o Rambharosa Sahu Aged About 60 Years
3. Bhagirathi Sahu S/o Ghunuram Sahu Aged About 61 Years
4. Bhagwati Sahu S/o Ghunuram Sahu Aged About 69 Years

(All are R/o Village Kurra, Gobranawapara, District Raipur Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Gobranawapara, District Raipur Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Anchal Kumar Matre, Advocate.
For Non-applicant/State	: Mr. Vikram Dixit, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-07-2019

Heard.

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 14.05.2019 in connection with Crime No. 55/2019, registered at Police Station—Gobranawapara, District- Raipur, C.G. for offence punishable under Sections 306, 34 of I.P.C.
2. It is submitted by learned counsel for the applicants that the deceased has committed suicide due to his own frustration for which these applicants cannot be held responsible. The applicants are in jail since 14.05.2019, therefore, it is prayed that these applicants be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the suicide note left by the deceased very clearly

named the applicants, as the persons because of whom he was compelled to commit suicide. Therefore, this application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. The deceased- Harakh Ram Sahu was the Head of Sahu Samaj. On the date of incident that is 31.01.2018, the applicants had a quarrel in which the deceased was beaten by these applicants. The deceased went home frustrated and then committed suicide on 02.02.2018 by consuming poisonous substance. One suicide note was later on recovered on 17.02.2018 from the son of the deceased in which the deceased had written that the applicants are the persons responsible for his death. On this basis, the case has been registered against these applicants.
6. After considering all the material present on the case diary and looking to the evidence that is proposed against these applicants for their prosecution in this case, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika