

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4661 of 2019**

1. Gurusharan S/o Jhaduram Mahilange, Aged About 28 Years, R/o Village Faraswani, Police Station and Tahsil Dabhra, District (Revenue and Civil) Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Jhaduram S/o Bisahu Mahilange, Aged About 60 Years, R/o Village Faraswani, Police Station and Tahsil Dabhra, District (Revenue and Civil) Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

**---- Applicants**

**Versus**

- State of Chhattisgarh Through Police Station Dabhra, District (Revenue and Civil) Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

**----Non-applicant**

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For Applicants – Shri Anand Kesharwani, Advocate.

For Non-applicant/State – Shri Jitendra Shukla, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order on Board**

**27-08-2019**

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 applicants for grant of regular bail. The applicants have been arrested on 22-12-2018 in connection with Crime No.366/2018 registered at Police Station - Dabhra, District (Revenue and Civil) - Janjgir-Champa, Chhattisgarh for the offence under Section 306, 34 of the IPC and 05 of Tonhi Pratadna Niwaran Adhiniyam.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 22-12-2018. No case is made out against the applicants. Similarly placed one co-accused Ganga Bai has been granted regular bail by this Court. Therefore, it is prayed that this application may also be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, deceased Sarita was wife of

applicant No.1 and daughter-in-law of applicant No.2. She gave birth to a daughter because of which she was tortured by the applicants and co-accused and she was also called sorcerer. The deceased set her ablaze on 10-06-2018 and she died on the same day. After inquest procedure the FIR has been lodged on 05-09-2018.

6. Considering that the case is pending for trial and that the similar placed co-accused has been granted bail, therefore, 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 each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety 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**