

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5796 of 2019**

1. Yashpal S/o Shiv Kumar Aged About 27 Years R/o Village Jhafal Thana Lormi District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Satish S/o Shobharam Aged About 40 Years R/o Village Jhafal Thana Lormi District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Kaleshwar Prasad S/o Bhikham Singh Aged About 52 Years R/o Village Jhafal Thana Lormi District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Takhatpur, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Ajit Singh, Advocate.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/11/2019**

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.176/2019 registered at Police Station - Takhatpur, District Bilaspur(C.G.) for the offence punishable under Sections 306/34 of the IPC.
2. It is the case of the prosecution that the applicants are

relatives of the deceased wife namely Nandini and they instigated deceased- Sanjay Singh to commit suicide and he tried to committed suicide and died during treatment in the hospital on 25.5.2019.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and relations between the deceased and his wife were not good. He submits that though the applicants are relatives of the wife but they have never instigated the deceased to commit suicide and they were always trying to resolve the dispute between the husband and wife. He further submits that yet charge sheet has not been filed; the applicants are in custody since 1.7.2019 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicant and yet charge sheet has not been filed and that the applicants are in jail since 1.7.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on

bail on each of them furnishing a personal bond in sum of Rs.25,000/- with two sureties each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge

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