

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7352 of 2019**

1. Gyanik Prasad Khande (Wrongly Mentioned O/d 31/10/2019 Bail App No. 381/2019 As Gyanikram Khande) S/o Shri Pilawaram Khande Aged About 36 Years R/o Village Sundereli, Tahsil Janjgir District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Madhukar Prasad S/o Jageshwar Satnami Aged About 53 Years R/o Village Premnagar, Police Station Kusmunda, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Kusmunda, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent**MCRC No. 7518 of 2019**

- Ishwar Prasad S/o Late Shyamlal Agrawal Aged About 46 Years R/o Balgi Basti, Police Station Banki Mongra, Tahsil Katghora, District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Kusmunda, District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicants	:	Shri R.K. Gupta, Advocate in MCRC No.7352/2019.
For Applicant	:	Shri Vikash Pandey, Advocate in MCRC No. 7518/2019
For Respondent	:	Shri B.L.Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/11/2019**

1. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.

2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.385/2019 registered at Police Station – Kusmunda, District Korba (C.G.) for the offence punishable under Sections 306 r/w 34 of the IPC.
3. As per the case of prosecution, husband of the complainant namely- Heeralal Kashyap had committed suicide on 18.12.2015. It is alleged that the applicants and other co-accused persons have not made payment of the work done by the deceased during the period 2009 to 2013 as Mason. There are allegations against the present applicants and other accused persons regarding abetment to commit suicide.
4. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question on the basis of some money dispute. They submit that as the applicants are in custody since October, 2019 and the trial is likely to take some time for its final disposal, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications.
6. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and that applicants are in custody since October,2019, I am of the opinion that present is a fit case, in which, the

applicants should be enlarged on regular bail.

7. Accordingly, the applications filed under Section 439 Cr.P.C. are 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.

8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge