

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 196 of 2020**

1. Amardas Banjare S/o Bishat Aged About 45 Years R/o Ward No. 01, Satyam Chowk, Kumhari, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh.
2. Sukhwantin Bai Banjare W/o Amardas Banjare Aged About 43 Years R/o Ward No. 01, Satyam Chowk, Kumhari, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh.
3. Yashwant @ Sonu Banjare S/o Amardas Banjare Aged About 23 Years R/o Ward No. 01, Satyam Chowk, Kumhari, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The District Magistrate, Durg District Durg Chhattisgarh.

---- Respondent

For Applicants.	:	Mr. Praveen Dhurandhar, Advocate.
For Respondent/State	:	Mr. Anil Tripahi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.02.2020**

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. 232/2019 registered at Police Station - Kumhari, District Durg (C.G.) for the offence punishable under Section 306, 34 of IPC.
2. The prosecution story in brief is that, the present applicants, who are the father-in-law, mother-in-law and brother -in-law of the deceased, after marriage, used to harass and commit mar-peat with the deceased on some trifles, due to which, after being harassed, deceased committed suicide. Based on that, after investigation, offence has been registered against

the applicants and they have been arrested.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He next submits that the evidence collected by the prosecution are also not prima facie sufficient to hold the applicants guilty. The applicants are in jail since 30.11.2019 and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application and submits that the 161 statement of the father of the deceased has been recorded and he specifically stated that the applicants used to torture her on some trifles just after the marriage, therefore, they may not be granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as the applicants are in jail since 30.11.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on them executing a personal bond in the sum of Rs. 25,000/- each, with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu