

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 962 of 2020**

1. Rajaram, son of Thakur Prasad, aged about 28 years,
2. Ram Bai, wife of Thakur Prasad, aged about 49 years,

Both are by Caste- Gond, resident of Village – Rajapur, Police Station & Tahsil – Ramanujnagar, District Surajpur (C.G.) (In Jail)

---- Applicants**Versus**

State of Chhattisgarh, through the Station House Officer Police Station Surajpur, District – Surajpur (C.G.)

----Respondent

For Applicants	: Mr. D.N. Prajapati, Advocate.
For Non-applicant/State	: Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****13/02/2020**

(1) The accused/applicants have preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 459/2019 registered at police Station Surajpur, District – Surajpur (C.G.) for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that marriage of deceased Anita Singh was solemnized with the applicant No. 1 and prior to three years from the date of incident and after the marriage, the applicants and the deceased were living together happily. It is alleged that applicants used to quarrel and assault with the deceased, due to which, she used to live her parental house and on 15.07.2019 out of humiliation and frustration she was trying to commit suicide by pouring kerosene oil in her parental house and immediately

thereafter she was taken to Mission Hospital, Ambikapur, where she died during course of treatment on 19.07.2019.

(3) Learned counsel for the applicants would submit that applicants have been falsely implicated in the crime in question as there is no evidence on record to connect the applicant with the crime in question. He submits that applicants are languishing in jail since 28.11.2019; and as the trial is likely to take some time for its final disposal and no custodial interrogation is required and substantial investigation has already been made, the applicants are entitled for regular bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case, further considering the fact the applicants are in detention since 28.11.2019; the trial is likely to take some time for its final disposal and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(7) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

