

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 266 of 2020**

1. Smt. Jageshwari W/o Tikadhar @ Makad, Aged About 25 Years R/o Natwarnagar Police Station Kusmi, District - Balrampur - Ramanujganj, Chhattisgarh.
2. Tikadhar @ Makad, S/o Goma, Aged About 25 Years R/o Natwarnagar Police Station Kusmi, District - Balrampur - Ramanujganj, Chhattisgarh.
3. Goma S/o Luru Aged About 55 Years R/o Natwarnagar Police Station Kusmi, District - Balrampur - Ramanujganj, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Shankargarh, District - Balrampur - Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ajeet Kumar Yadav Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 134/2019 registered at Police Station-Shankargarh, Civil & Revenue District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 306, 389, 34 of the IPC.
2. The prosecution story, in brief is that, complainant lodged a report that the deceased and applicant Teekadhar were jointly farming chili, during that period the deceased gone Ambikapur with Teekadhar's wife Jageshwari. Thereafter, they were returned from Ambikapur and on 14.07.2018 a Panchayat-meeting was held with regard to love affair of the deceased and Jageshwari, at the Panchayat-meeting

Teekadhar and Gomaram said to the deceased that either pay a sum of Rs. 1,00,000/- or keep the Jageshwari with him. Applicant Jageshwari also said that her husband will not keep her with him and demanded a sum of Rs. 1,00,000/-. On this father of the deceased said that they belong to a poor family and they can't pay the said amount, then applicants said that if you will not pay the money we shall implicate you in a rap case. Thereafter, the deceased was committed suicide by consuming poison, due to harassment and tortured by the applicants. Based on this, offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and the applicants are in jail since 05.12.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
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, detention period of applicants and further considering the facts that the applicants are in jail since 05.12.2019 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/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local 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.

**Sd/-
(Rajani Dubey)
Judge**

