NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3166 of 2020

1. Smt. Lileshwari, W/o Shri Toran, aged about 30 years,
2. Smt. Neelam, W/o Shri Devnarayan, aged about 30 years,
3. Anand Sahu, S/o Shri Mahettar, aged about 56 years,

All above applicants are R/o village Sivni, Tehsil and District Balod (CG)

---- Applicants

- **Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station, Balod, District Balod(CG)

---- Respondent

For Applicants : Shri Prasoon Agrawal, Advocate
For Respondent : Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

16.6.2020

1. The default pointed out by the Registry is overruled.
2. Heard.
3. Admit.
4. 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. 257/2019, registered at Police Station – Balod, District Balod (C.G.) for the offence punishable under Sections 306 r/w 34 of the IPC.
5. It is the case of the prosecution that Gitanjali (deceased) has committed suicide on 25.5.2019 in her house by setting herself on fire. It is alleged that applicants were doubting the character of the deceased due to which she committed

suicide.

6. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in the case. He submits that the applicants are not the family members of the deceased and due to some enmity they have been roped in the crime. He further submits that the applicants are in jail since 18.5.2020 and trial is likely to take some time for its final disposal, therefore, they may be released on bail.

7. On the other hand, counsel for the State opposes the bail application.

8. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicants and yet charge sheet has not been filed and trial is likely to take some time for its final disposal, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

9. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.

10. 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 one surety 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.

11. It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee

constituted in compliance of the order of the Supreme Court of India dated 23.3.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

12. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge

sunita