

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4364 of 2020**

1. Nandlal Painkra S/o Manbahal Painkra, aged about 30 years,
 2. manbahal Painkra S/o Tamdu, aged about 56 years,
- Both are Caste- Kanwar, R/o Village Jujgu, Tahsil & Police Station Bagicha, District Jashpur (C.G)

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Bagicha, District Jashpur C.G.

---- Respondent

For Applicants	:	Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

- 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. 55/2020 registered at Police Station - Bagicha, District Jashpur (C.G.) for the offence punishable under Section 306/34 of the IPC.
- The prosecution story in brief is, as per the prosecution case, is that the applicant No.1 and the deceased were performed their love marriage against the will of applicant's parents and started living in his house. Earlier family member of the applicant and later the applicant No. 1 / husband of the deceased started harassing the deceased both mentally and physically due to which she consumed malaria tablets in an excessive quantity resulting in her death. Based on that, after

investigation, offence has been registered against the applicant.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that applicants have never tortured the deceased. The applicants are in jail since 07.06.2020 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as 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.
- 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 said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge