

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4955 of 2020**

1. Harihar Singh S/o Meghnath Singh aged about 58 years, R/o Mahuatoli, Chowki-Lodam, P.S. - Jashpur, District-Jashpur, Chhattisgarh.
2. Sita Devi W/o Harihar Singh aged about 48 years, R/o Mahuatoli, Chowki-Lodam, P.S. - Jashpur, District-Jashpur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - Police Station Jashpur, District-Jashpur, Chhattisgarh.

---- Respondent

For Applicants	:	Ms. Sharmila Singhai, Adv.
For Respondent/State	:	Mr. H. S. Ahluvalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

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. 281/2019 registered at Police Station Jashpur, District-Jashpur (C.G.) for the offence punishable under Section 306 of the IPC.
2. The prosecution story, in brief is that, the deceased got married to the son of applicants' namely Mukesh Singh in the year 2018. It is alleged that after the solemnization of marriage the applicants used to taunt and harass the deceased, due to which the deceased and her husband started living separately in rented house with her 4 months baby girl who died because of medical illness on dated 02.08.2019, after the demise of daughter of deceased the present applicants and other co-accused used to blame her for the death of daughter of deceased by saying "bachhe ko Khagai, mere bete ko bhi kha jaogi". Thereafter she committed suicide on 07.08.2019. Based

on this offence has been registered against the present applicants and other co-accused person.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. She further submits that the applicants have not played any active role in committing the said offence. Even they have no knowledge about the crime and they are old aged persons aged about 50-58 years. She also submits that there is no material to show that the applicants were instigated to the deceased for committing suicide and the applicants are in jail since 09.06.2020, 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 and submits that the allegation against the applicants is of serious in nature; therefore, no case is made out for grant of 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, detention period of applicants and further considering that the applicants are aged about 50-58 years and the applicants are in jail since 09.06.2020, 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/- 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**