

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5856 of 2020

1. Nepal Patel, S/o Late Lingraj Patel, Aged About 53 Years
2. Smt. Mithila Patel, W/o Nepal Patel, Aged About 46 Years
3. Chainsingh Pathar, S/o Leeladhar Pathar, Aged About 48 Years

All R/o - Village - Jhargaon, Post Office and Police Station -
Devbhog, District - Gariyaband, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police
Station - Devbhog, District - Gariyaband, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Shivendu Pandya, Advocate
Shri Vimlesh Bajpai, GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

15/10/2020

1. The applicants have preferred this bail application under Section 439 of the CrPC, as they have been arrested in connection with Crime No.95/2020, registered at Police Station Devbhog, District Gariyaband (C.G.) for the offence punishable under Section 306/34 of IPC and Sections 4 & 5 of the Chhattisgarh Tonahi Pratadna Nivaran Act, 2005.
2. The applicants have allegedly caused mental harassment and agony to the deceased Gangaram by stating that because of

sorcery practice (witchcraft), the applicant No.1 Nepal Patel has got swelling in his body, whereas the applicant No.3 Chain Singh's vegetable crop has been damaged. Due to these allegations, the deceased was mentally disturbed and committed suicide.

3. Learned State counsel would oppose the prayer for grant of bail.
4. The present applicants are in jail since 10.07.2020 and the charge sheet has already been filed, therefore, considering the nature of allegations and the length of pre-trial detention, this Court is inclined to release the applicants on bail.
5. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge