

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7420 of 2020**

1. Jagatram Thakur S/o Pitambar Thakur Aged About 30 Years Village Bijabhata, Tahsil Dondilohara, Thana- Arjunda District Balod, Chhattisgarh
2. Govind Thakur S/o Pitambar Thakur Aged About 26 Years Village Bijabhata, Tahsil Dondilohara, Thana- Arjunda District Balod, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through SH Arjunda District Balod Chhattisgarh

---- Respondent

For Applicants	:	Shri G.R.Burman, Advocate
For State	:	Smt. Fouzia Mirza, Addl. Adv. Gen.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/12/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.118/2020 registered at Police Station – Arjunda, District – Balod (C.G.) for alleged commission of offences under Section 306, 34 of IPC.
2. Case of the prosecution is that the applicants and other co-accused harassed the deceased, due to which, the deceased committed suicide by setting her on fire. The allegation against applicant No.2 is that he prepared obscene video clippings of the deceased and circulated in the village.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated. It is submitted that applicant No.1 is the husband of the deceased and merely because at the time of death, the deceased stated that she was called as thief by the applicants and her in-laws, no case is made out under Section 306 IPC. It is further submitted that co-accused, who are father-in-law and mother-in-law of the deceased, have been granted bail in MCRC No.6132/2020. Therefore, the applicants

may also be granted bail.

4. On the other hand, learned State counsel submits that according to the sister-in-law of the deceased, at the time of death, the deceased told her that her husband and in-laws used to harass her and call her thief and her brother-in-law prepared her obscene video clippings and circulated in the village. Therefore, case is made out against the applicants.

5. The marriage of the deceased was solemnized with Jagat Thakur in the year 2010. Out of the said wedlock, three children were born. The alleged incident of suicide happened after about 10 years of marriage. At the time of death, the deceased had only stated that she was called thief by her in-laws and this act was also supported by her husband. Apart from it, no other material evidence was recorded against the husband and the in-laws.

6. Considering the facts and circumstances of the case, particularly, the inquest report of the deceased prepared in the presence of her brother and the fact that the alleged incident happened after about 10 years of marriage; no material evidence was found against the applicants; the custody of the applicants since 16/072020 and also considering that co-accused in this case have been granted bail, I am inclined to grant bail to the applicants.

7. Accordingly, the bail application is allowed and it is directed that in the event of both the applicants' executing a personal bond for a sum of Rs.25,000/- with two equivalent sureties for the like amount to the satisfaction of the Trial Court, the applicants be released on bail. They are directed to appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

8. It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge