

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7800 of 2020

1. Ram Chandra Yadav, S/o Shri Anandram Yadav, aged about 28 years
2. Smt. Kaushalya Yadav W/o Shri Anandram Yadav, aged about 60 years

Both resident of Village Malpurikala, P.S. Nandini Nagar, District Durg (C.G.)

---- Applicants

Versus

- State of Chhattisgarh Through : District Magistrate, Durg (C.G.)

---- State/Non-applicant

For Applicants : Shri R.S. Patel, Advocate

For Non-Applicant/State : Shri Dinesh Tiwari, Deputy Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

20.11.2020

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 09.09.2020 in connection with Crime No. 205/2020 registered in Police Station- Nandini Nagar, District Durg (CG) for the offence punishable under Section 306 read with Section 34 of IPC.
2. As per prosecution, on 11.08.2020, deceased- Santoshi Yadav W/o Ram Chandra Yadav (applicant No.1) died at Government Hospital, Ahiwara due to burn injury. Thereafter, during inquiry, it was found that on account of giving physical and mental torture to the deceased by the applicants, she committed suicide.
3. Learned counsel for the applicants submits that the applicants have not committed the alleged offences and are innocent persons. He further submits that the applicants have been falsely implicated in this crime and they are languishing in jail since 09.09.2020. He further submits that the charge-sheet has already been filed and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
4. On the other hand, learned counsel for the State opposes the bail

application.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, particularly the statement of the father of the deceased that on domestic work, some dispute used to happen between the deceased and the member of her matrimonial house and the fact that the applicants are in jail since 09.09.2020, the charge-sheet has already been filed and conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the concerned trial Court, they shall be released on bail. The applicants 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.
6. 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.

Sd/-
(Gautam Chourdiya)
Judge