

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8348 of 2019**

1. Sumitra Ajay W/o Vinod Ajay Aged About 29 Years R/o Pandripani, Police Station Sarsiwa, Tahsil Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
2. Vinod Ajay S/o Santram Ajay Aged About 29 Years R/o Pandripani, Police Station Sarsiwa, Tahsil Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sarsiwa, District Balodabazar Bhatapara Chhattisgarh.,

---- Respondent

For Applicants	:	Shri Raghavendra Pradhan, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/02/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.383/2019, registered at Police Station - Sarsiwa, District Balodabazar - Bhatapara (C.G.) for the offence punishable under Section 306, 34 IPC.
2. The prosecution story, in brief, is that the applicants had borrowed Rs.6,00,000/- from deceased Lochan Chandrakar and when deceased demanded his money back, the present applicant lodged false report against deceased Lochan Chandrakar under Section 354 IPC. Due to this, the deceased committed suicide by hanging himself. Based on this, offence has been registered. The present applicants have been taken into custody on 19.11.2019.
3. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the case. He further submits that even if the entire prosecution case is taken as it is, no offence under Section 306/34 IPC is made out. He also submits that the applicants are in custody since 19.11.2019 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that there is suicidal note of deceased in which name of present applicants have been mentioned by the deceased.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicants are in custody since 19.11.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge