

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 411 of 2021**

1. Prahlad Singh S/o Dileep Singh Aged About 21 Years R/o Village Amdanda Outpost Ganeshmod Police Station Balrampur, District Balrampur, Ramanujganj, Chhattisgarh, District : Balrampur, Chhattisgarh
2. Ravindra Kumar S/o Phoolnarayan Aged About 22 Years R/o Village Amdanda Outpost Ganeshmod Police Station Balrampur, District Balrampur, Ramanujganj, Chhattisgarh ---- **Applicants.**

Versus

- State of Chhattisgarh Through Station House Officer, Outpost Ganeshmod Police Station Balrampur, District Balrampur Ramanujganj, Chhattisgarh. ---- **Non-applicant**

For Applicants : Mr. Nishi Kant Sinha, Advocate.

For State : Mr. Hari Om Rai, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****23-02-2021**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as they have been arrested in connection with Crime No. 184 of 2020 registered at Police Station Balrampur, District Balrampur Ramanujganj (CG) for the offence punishable under Section 306 of IPC.
2. Case of the prosecution, in brief, is that the deceased committed suicide by consuming poison on 25-5-2020 and on the next day her father found the letter in which she stated that the present applicants threatened her of life through mobile telephone that she was

responsible for death of Bhupendra who was brother of applicant No.2 Ravindra Kumar, thereby the aforesaid offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case, there is no direct evidence that the present applicants abetted the deceased to commit suicide, only on the basis of suspicion, applicants have been arrested, except present one, applicants have no other criminal antecedents, charge sheet has been filed, they are in jail since 28-10-2020, and conclusion of the trial is likely to take some time, therefore they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that except present one, applicants have no other criminal antecedents.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, looking to the suicidal note of the deceased wherein it was stated that she was being told by the applicants over telephone that she was responsible for death of Bhupendra who was brother of applicant, No.2 Ravindra Kumar and was being threatened of life, age of the applicants, the material collected by the prosecution, detention period of the applicants, charge-sheet has been filed and there is no likelihood of the applicants tampering with evidence of absconding as admitted by both the parties and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicants.

7. Accordingly, the application is allowed and it is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. They shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial. The applicants are being granted bail on the following conditions:

- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial,
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial, and
- iv. they shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this court.

Sd/-

(Gautam Chourdiya)
Judge

Raju