

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2369 of 2021**

1. A. Anita Rao, W/o Shri A. Narshingh Rao, Aged About 45 Years, R/o Hospital Sector Rajhara, Ward No. 07, P.S. Dallirajhara, Distt.- Balod (C.G.)
2. Venkat N. Shivramma, Wd/o Late Shri N. Triptaiyya, Aged About 50 Years, R/o Sector- 2, Street No. 15/B, P.S. Bhilai Bhatti, Bhilai, Tahsil & District- Durg (C.G.)

---- Applicants**Versus**

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

---- Respondent

For Applicants	: Mr. Rakesh Kumar Thakur, Adv.
For Respondent/State	: Mr. Ashish Tiwari, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.06.2021**

1. The matter is heard through video conferencing.
2. The accused/applicants have moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 99/2021 registered at Police Station- Chawni, District- Durg (C.G.) for the offence punishable under Sections 306, 34 of I.P.C.
3. The prosecution story, in brief is that, the present applicants used to harass the deceased physically and mentally due to which she committed suicide by hanging herself. Thereafter, offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that charge-sheet has been filed.

He next added that the applicants are in jail since 24.02.2021, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

5. On the other hand, counsel for the State opposes the bail application submitting that in the suicidal note of the deceased, it is clearly stated that deceased has been tortured by the accused persons due to which she committed suicide by hanging herself. He further submits that the allegations against the applicants, are serious in nature. Therefore, no case is made out to release the applicants on bail.
6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that charge-sheet has been filed and the applicants are in jail since 24.02.2021, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Vacation Judge**