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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1187 of 2021**

- Ankit Pradhan, S/o Hirendra Pradhan, aged about 29 Years, (Wrongly mentioned as Birendra in Bail Rejection Order), R/o Ward No. 15, New Ledri, Collery, Police Station- Jhagrakhand, Tehsil- Manendragarh, District- Koriya, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Jhagrakhand, District- Koriya, Chhattisgarh.

----Non-applicant

MCRC No. 2277 of 2021

- Ravi Sahu, S/o Shri Murari Prasad Sahu, aged about 27 Years, R/o Village Chainpur, P.S. and Tahsil Manendragarh, District Koriya, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through S.H.O. Police Station Jhagrakhand, District Koriya, Chhattisgarh.

---Non-applicant

For Applicants and, For State	Ms. Meena Shastri & Mr. Hemant Kumar Agrawal Advocates for the respective applicants. Mr. Anand Verma, Deputy G.A.
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Hon'ble Shri Justice Gautam Chourdiya
Order on Board

29/06/2021

1. As both these applications filed under Section 439 of Cr.P.C. arise out of the same Crime No.08/2021 registered at Police Station Jhagrakhand, Manendragarh, District Koriya, C.G. for the offence punishable under Section 306 read with 34 of Indian

Penal Code, they are being disposed of by this common order.

2. Case of the prosecution, in brief, is that complainant- Sanjay Sharma lodged a merger intimation at police station- Jhagrakhand on 10.10.2019 stating in it that a boy named Saurabh Dahiya of his locality committed suicide by hanging himself, on which merger no.36/2019 was lodged. During merger enquiry, father of the deceased namely Lakhuram submitted a suicide note written by the deceased in which he (deceased) stated that the present applicants have taken his money i.e. eighty five thousand rupees and also made him incur debt and people are asking for money from him, therefore, he has no option but to commit suicide. On the basis of merger enquiry, on 04.01.2021, Crime No.08/2021 was registered by the police authority of the concerned police station under Section 306 read with 34 of IPC against the accused persons.
3. Learned counsel for the applicants submits that applicants are innocent persons and have been falsely implicated in this case. He submits that there is no direct proof of applicants involvement in the alleged crime. The applicants are in jail since 06.01.2021, charge sheet has already been filed and conclusion of 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 applications.

5. Heard learned counsel for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the nature of allegations against the present applicants, further considering detention period of the applicants, who are 29 & 27 years of age, charge sheet has already been filed, the fact that the applicants have no criminal antecedents and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicants. Accordingly, the applications are allowed. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, they shall be released on 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, and
- (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.
- (iv) they shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) they shall not involve themselves in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar offence in future

Sd/-
Gautam Chourdiya
Judge

Akhilesh