

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC (A) No. 1066 of 2021**

1. Kunti Bargah D/o Shri Lakhan Lal Bargah, Aged About 50 Years, R/o Laxmi Chowk, Chingraipara P.S -Sarkanda, District -Bilaspur, Chhattisgarh.
2. Shitala Bargah, W/o Rajkumar Bargah, Aged About 45 Years, R/o Laxmi Chowk, Chingraipara P.S -Sarkanda, District -Bilaspur, Chhattisgarh.

---- Applicants

**Versus**

State of Chhattisgarh Through Police Station -Sarkanda, District -Bilaspur Chhattisgarh.

--- Respondent

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| For Applicants | : Mr. Sandeep Dubey, Advocate. |
| For State      | : Mr. Shrikant Kaushik, PL.    |

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**Hon'ble Shri Justice Parth Prateem Sahu**  
**Order on Board**

**07/09/2021**

Heard.

1. Applicants have filed this bail application under Section 438 of Cr.P.C. apprehending their arrest in connection with Crime No.866/2021 registered at Police Station – Sarkanda, Distt - Raipur, (CG), for the offence punishable under Section 306 & 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that Pritam singh son of Dilharan Singh (deceased) has lodged a report to the concerned Police Station on 22.06.2019 mentioning therein that his father committed suicide in between 21.06.2019 to 22.06.2019 in his house by hanging. During the course of investigation, Police recovered one suicidal note from pocket of deceased Dilharan Singh which was sent to handwriting expert along-with diary seized from house of deceased. In suicidal note there are allegations of ill-treatment, harassment and also not permitting deceased to reside in his house, against applicants and other three co-accused persons who are relative of deceased. Based upon report of handwriting expert received by the Police, FIR was registered against applicants and other three co-accused persons by name Uttam Bargah, Sonu Bargah and Sunil Bargah.
3. Learned counsel for the applicants submits that applicants are female members and residing separately in their own houses. Allegation levelled in suicidal note

is with regard to demand of money by Uttam Bargah, son of deceased for purchasing of immovable property at village -Mopka, Bilaspur upon which deceased gave him Rs.5 lacs with an understanding that property is to be purchased in his name only. But Uttam Bargah has purchased the property in his own name. Other allegation is with regard to ill treatment, harassment and not permitting deceased to reside in his own house. In suicidal note, no allegation of abetting the deceased for commission of suicide or ill-treatment and harassment of such nature for taking action of committing suicide by deceased, who was aged about 55 years. He also submits that incident is of the month of June 2019 whereas FIR was registered on 21.07.2021 after lapse of two years. Hence, applicants may be enlarged anticipatory bail.

4. Learned State Counsel opposes the submissions made by learned counsel for applicant and submits that in suicidal note there are allegations of ill treatment, assault and harassment to deceased by applicants and co-accused persons. Allegations are serious in nature, hence, applicants are not entitled for grant of anticipatory bail. However, on putting a specific query to learned State Counsel, he submits that deceased was residing alone in his house where he committed suicide. Other son of deceased Pritam Singh Bargah was residing separately at village -Khaira Lagrah, Seepat, Bilaspur, who also in his statement has made allegations against applicants and other co-accused persons.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation, age of deceased, they are female members, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the crime in question, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the

satisfaction of the concerned Arresting Officer. The applicant shall also abide by the following conditions :

- (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that applicant 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/her from disclosing such facts to the Court or to any police officer;
- (iii) that applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

**Sd/-**  
**(Parth Prateem Sahu)**  
Judge

Jamal/-