

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4498 of 2015**

1. Prakash Sahu @ Omprakash, son of Girish Sahu, aged about 27 years
2. Devendra Sahu, son of Girish Sahu, aged about 22 years
3. Girish Sahu, son of Thanwaar Sahu, aged about 47 years
4. Govind Sahu, son of Chainsingh Sahu, aged about 38 years

All are resident of Village Mohdi, Police Station Magarlod, Civil and Revenue District Dhamtari (CG)

---Applicants

Versus

State of Chhattisgarh, through : Police Station Magarlod, Dhamtari, Civil and Revenue District Dhamtari (CG)

---Non-applicant

For Applicants	:	Mr.P.P.Sahu, Advocate
For Non-applicant	:	Mr.Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

02/09/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.140/2015, registered at Police Station-Magarlod, Distt.Dhamtari (CG), for the offence punishable under Sections 147, 148, 149, 294, 506, 323 and 452/34 of the IPC.
2. Case of the prosecution, in brief, is that on 21.6.2015 the applicants along with other co-accused persons assaulted, abused and threatened to kill complainant Komal Yadu and other persons by entering into the house and thereby committed the offence.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that other co-accused persons namely

Shrawan Sahu, Hemlal Yadav, Pintu Vaishnav and Santram Bharti have been admitted to bail by this Court vide order dated 28.7.2015 in M.Cr.C.No.3367 of 2015 and case of the present applicants is similar to that of the co-accused who have been enlarged on bail, therefore, they are also entitled to be released on bail.

4. On the other hand, learned counsel for the State would affirm the same.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants, the fact that bail was granted to co-accused Shrawan Sahu, Hemlal Yadav, Pintu Vaishnav & Santram Bharti and pre-trial detention of the applicants, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants **Prakash Sahu @ Omprakash, Devendra Sahu, Girish Sahu and Govind Sahu** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-