

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M. Cr. C. No. 4675 OF 2015**

1. Manoj Kumar, aged about 22 years, S/o Ramakant
2. Sanoj Kumar @ Vijay aged about 18 yers, S/o Ramakant,  
R/o Village Pakka Dhouda, Khongapani, Thana Jhagrakhand, Tahsil  
Manendragarh, Distt. Koriya.

**---Applicants****Versus**

The State of Chhattisgarh, through Police Station Jhagrakhand, Distt. Koriya

**---Non-applicant**


---

|                   |   |                             |
|-------------------|---|-----------------------------|
| For Applicants    | : | Mr. Parag Kotecha, Advocate |
| For Non-applicant | : | Mr. Anant Bajpai, P.L.      |

---

**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****09/09/2015**

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. 120/15, registered at Police Station Jhagrakhand, Distt. Koriya, for the offence punishable under Sections 307, 342, 506, 294, 147, of Indian Penal Code and 3(2-5) of Schedule Caste and Schedule Tribe (Prevention of Atrocities), Act 1989.
2. Case of the prosecution, in brief, is that, on 19/07/2015 applicants and six other co-accused persons wrongfully confined victim Vikarant and assaulted him by hands and fists by which he suffered grievous injury which was sufficient to cause death knowing fully well that he is member of Scheduled Caste and thereby committed aforesaid offence.
3. Learned counsel for the applicants would submit that applicants

have not committed any offence and have been falsely implicated in offence in question. He would further submit that no allegation by causing grievous injury by the present applicants as they have caused alleged injury by hands and fists. He would further submit that injuries suffered by the victim are simple in nature. He would lastly submit that applicants are in jail since 20/07/2015 therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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 in offence in question; injuries inflicted by the applicants and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Manoj Kumar and Sanoj Kumar @ Vijay, 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 trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-  
(Sanjay K. Agrawal)  
JUDGE