

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5866 of 2015

1. Jagarnath Yadav & Anr. S/o Narayan Yadav Aged About 32 Years R/o Village Batwahi, Police Station Lundra, Civil And Rev. Distt. Surguja Chhattisgarh.
2. Bajrang @ Prahlad Yadav S/o Shree Udaynath Yadav Aged About 34 Years Occupation Business By Caste - Ahir, R/o Village Batwahi, Police Station Lundra, Civil And Rev. Distt. Surguja Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police Station Lundra, Distt. Surguja Chhattisgarh.

---- Respondent

For Applicants	:-	Mr. Awadh Tripathi, Advocate
For Respondent/ State	:-	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

04/11/2015

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. 73/2015, registered at Police Station – Lundra, District- Surguja (C.G.) for the offence punishable under Sections 147, 148, 149, 294, 506, 307, 354 and 323 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant and ten co-accused persons assaulted injured persons namely Satpal Singh, Tajinder Pal Singh and Jaspal Singh by hands, fists and wooden sticks, by which they suffered grievous injuries which were sufficient to cause their death and also abuse them and threatened to kill them and thereby committed the aforesaid offence.

3. Counsel for the applicants submit that the applicants have not committed any offence and they have falsely been implicated in the crime in question. He further submit that co-accused namely Satish Prasad Jaiswal has been enlarged on bail by this Court vide order dated 18.8.2015 in M.Cr.C. No. 3876/2015 and the case of the present applicants are similar to that of the co-accused. He further submit that the applicants are in jail since 06.10.2015 and therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicants are in jail since 06.10.2015 and also the fact that the similarly placed co-accused persons have already been enlarged on bail by the coordinate Bench of this Court, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge