

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6413 of 2015

1. Vijay Jagnayak S/o Shri Samaylal Jagnayak Aged About 30 Years
Caste Mochi, R/o Village Charotha, P.S. Bhakhara, District
Dhamtari Chhattisgarh.
2. Ashok Khare S/o Shri Ram Prasad Khare Aged About 39 Years
Caste Mochi, R/o Village Charotha, P.S. Bhakhara, District
Dhamtari Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Bhakhara, District Dhamtari Chhattisgarh.

---- Respondent

For Applicants : Mr. Vikash Pandey, Advocate

For Respondent : Ms. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No. 185/2015 registered at Police Station- Bhakhara, District – Dhamtari (C.G.) for the offence punishable under Sections 295(A)/ 34 of IPC.
2. As per the prosecution case, the applicants soliciting for the Christian Community thereby deliberate malicious acts were committed by the applicants to outrage the religious feelings of the class and a report was made by the members of Hindu Morcha. Therefore, the offence was committed.
3. Counsel for the applicants submit the applicants are innocent and they have been falsely implicated in this case. The applicants

were only distributing the books of Christian Community without any intention to outrage the religious feelings of the class and they have not committed any offence and they may be enlarged on bail.

4. Per contra State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the allegations leveled against the applicants and considering the gravity of offence and the manner in which the offence was committed; the charge-sheet in this case has been and the applicants are in jail since 06.10.2015, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge