

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6128 of 2015

1. Manjur Aalam S/o Sirajuddin Aged About 40 Years Occupation - Agriculture R/o Village - Vijaynagar, Police Station - Ramanujgunj, Police Outpost Vijaynagar, District - Balrampur - Ramanujgunj, Civil - Surguja, Reveue District - Balrampur, Chhattisgarh
2. Ektar Aalam S/o Sirajuddin Aged About 35 Years Occupation - Agriculture R/o Village - Vijaynagar, Police Station - Ramanujgunj, Police Outpost Vijaynagar, District - Balrampur - Ramanujgunj, Civil - Surguja, Reveue District - Balrampur, Chhattisgarh
3. Mustaq Aalam S/o Sirajuddin Aged About 27 Years Occupation - Agriculture R/o Village - Vijaynagar, Police Station - Ramanujgunj, Police Outpost Vijaynagar, District - Balrampur - Ramanujgunj, Civil - Surguja, Reveue District - Balrampur, Chhattisgarh

---- Applicants

Versus

The State Of Chhattisgarh Through : Police Outpost - Vijaynagar, Police Station - Ramanujgunj, District - Balrampur - Ramanujgunj, Chhattisgarh

---- Respondent

For applicants – Shri A.K. Prasad, Advocate.
For Respondent/State – Shri Ashok Swarnkar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/11/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 134/2015 registered in Police Station Police Outpost – Vijaynagar, Police Station-Ramanujgunj for offence punishable under Section 307, 325, 342, 506, 147, 148 of IPC.
2. As per the prosecution case on 12/09/2015 when complainant Jaibun Nisha had gone to the field for cutting grass. Subsequently, when she was coming back, she was tied by Rahid, Abdul, Hajra Khatun, Najma

and she was carried in the house and was beaten. According to the prosecution when Mohd. Hussain tried to intervene and save Jaibun Nisha, these applicants objected and threatened him.

3. Learned counsel for the applicants submits that against these applicants there is no allegation of assault and the offence has been committed by Rahid, Abdul, Hajra Khatun, Najma and simply they were present in the scene and therefore they cannot be inculpated. Therefore, the applicants may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact and nature of allegations against these applicants that they have not assaulted the complainant Jaibun Nisha, taking into account nature and gravity of allegation, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE