

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6937 of 2015

1. Awtar Singh, S/o. Fagulal Sarthi, aged about 18 years, Caste-Sarthi, R/o. Village Bhanwarpur, P.S. Baramkela, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station- Baramkela, Civil and Revenue District – Raigarh (C.G.)

---- Respondent

AND

M.CR.C. No. 6939 of 2015

1. Janki Bai, W/o. Fagulal, aged about 35 years, Caste-Sarthi, R/o. Village Bhanwarpur, P.S. Baramkela, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station- Baramkela, Civil and Revenue District – Raigarh (C.G.)

---- Respondent

AND

M.CR.C. No. 6946 of 2015

1. Munu Sarthi, S/o. Bhim Sarthi, aged about 65 years, Caste-Sarthi, R/o. Village - Bhanwarpur, P.S. Baramkela, District – Raigarh (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station- Baramkela, Civil and Revenue District – Raigarh (C.G.)

---- Respondent

For Applicants	: Mr. M.K. Jaiswal, Advocate
For Respondent/State	: Mr. Vinod Tekam, 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, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.103/2015, registered at Police Station – Baramkela, District – Raigarh (C.G.) for the offence

punishable under Section 147, 452, 294, 506, 427, 307 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on 31.08.2015, a report was made by Hariram Sarthi that the applicants, Munu, Janki, Awatar Singh and one another accused Fagul entered into the house of the complainant and damaged to their property and accused Fagul has given blow to the wife of the complainant, Hariram namely Fulbai, whereby her jaw was broken and thereby the offence was committed.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated in this case and the entire allegation are mainly attributed to the accused, Fagul. He would further submit that the charge sheet in this case has been filed and the applicants are in jail since 03.09.2015, therefore, the counsel prays that the applicants may be enlarged 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 main allegation of causing hurt are against the accused, Fagul, which is grievous in nature. Taking into facts and circumstances of the case and taking into consideration the nature and gravity of offence and the allegations against these applicants, further considering the fact that charge sheet in this case has been filed and the applicants are in jail since 03.09.2015, 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 shall be released on bail on their furnishing a personal bond in the 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram