

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5795 of 2015

1. Anand Singh, son of Shankar Singh Gond, aged about 21 years, resident of village Manthapani Baijnathpur, P.S. Odgi, Civil & Revenue Distt. Surajpur (C.G).
2. Dilmohan Singh, son of Nathuram Singh, aged about 32 years, resident of Sanwarawan, P.S. Odgi Civil & Revenue District Surajpur Chhattisgarh
--- **Applicants**

Versus

State of Chhattisgarh through the Police Station Odgi, District Surajpur, Chhattisgarh
--- **Non-applicant**

For the applicants	:	Mr. A.N. Pandey, Advocate
For the Respondent	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 74 of 2015 registered at P.S. Odgi, District Surajpur, Chhattisgarh for the offence punishable under Sections 338, 379 of IPC and Section 135 of the Electricity Act. As per the prosecution case.
2. The prosecution case in brief is that on 25.08.2015 after thrashing the crop when the complainant Kailaso alongwith her brother Jai Singh and others were going to Manthapani, she came in contact with live wire which happened because of the fact that that the applicants were committing theft of electricity and due to exposure of the live wire, the complainant the said wire tangled with her foot and thereby she sustained burn injuries. Subsequently a report was made and a case was registered against the applicants.
3. Learned counsel for the applicants submits that the said live wire was used to kill the animals wherein the complainant came in contact. He

further submits that as the field was not fenced, the electric wire was expanded in the field to protect the crop from wild animals and the complainant came into contact with the said live wire. He further submits that the complainant was admitted in hospital and discharged and the charge sheet has been filed. He refers to the medical report and submits that no serious injury was caused to the victim. He therefore prays that the applicants may be enlarged on bail as they are in jail since 03.09.2015.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the medical report and the statement as also considering the fact that the charge sheet has been filed and the applicants are in jail since 03.09.2015, I am inclined to enlarge the applicant on regular bail.
6. Accordingly the application is allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court. They shall appear before the said Court on each and every date to be given by the said Court till disposal of the trial.
7. Cc as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**