

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7207 of 2015

- Shambhu Ram S/o Shobhu Ram Sahu Aged About 60 Years
R/o Village Gurur, Tahsil Gurur, Civil And Rev. Distt. Balod
Chhattisgarh. --- **Petitioner**

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station Rudri, Civil And Rev. Distt. Dhamtari
Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. P.P. Sahu, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

MCRC No. 7384 of 2015

- Jinendra Kumar Jain S/O Late Kanchedi Lal Jain Aged About 55
Years Caste - Jain, R/O - Rudri Post Office & Police Station -
Rudri, Tahsil & District - Dhamtari Chhattisgarh -- **Petitioner**

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station - Rudri, District-Dhamtari Chhattisgarh

---- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.12.2015

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 98/2015 registered at P.S. Rudri, District Dhamtari (C.G) for the offence punishable under Section 325/34 IPC and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Since both these applications arising out of the same crime number, they are being disposed by this common order.
3. As per the prosecution case, the complainant Dayaram Netam and applicants are working in the power sub-station. A report was lodged by complainant that in the evening of 07.09.2015 at the power station applicant Shambhu Ram has assaulted the complainant with his boot for marking absence of his duty by the complainant. At the same time, applicant Jinendra Kumar Jain also intervened and assaulted the complainant and thereafter both the applicants started abusing the complainant. Subsequently the applicants were taken into custody on 03.12.2015.
4. Learned counsel for the applicants submit that the applicants have been falsely implicated in this case and false report has been made against them. They further submit that since the statements have already been recorded, no further evidence is necessary. It is also submitted that the applicants are in jail since 03.12.2015, therefore, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail applications.
6. Perused the case diary and the statement of the complainant.
7. Taking into consideration the totality of the facts and circumstances and the nature of allegations against the applicants and also considering the fact that the dispute arose between the staff in office premises and the applicants are in jail since 03.12.2015, this Court is inclined to release them on bail. Accordingly, M.Cr.C.No. 7207/2015 and 7384/2015 are allowed.
8. The applicants are directed to be released on bail on each of

them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court . They shall also appear before the trial Court as and when directed by the said Court.

9. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao