

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5145 of 2015**

1. Pitamber Bhuiya Son of Sadanand Bhuiya, aged about 29 years,
2. Pradeep Khalkho Son of Bundru Khalkho, aged about 19 years,
3. Syam Lal Rathiya son of Sohan Rathiya, aged about 27 years,
4. Lalit Kujur Son of Krishno Kujur, aged about 28 years,
5. Kartikram Nagwanshi Son of Ghasiyaram Nagwanshi, aged about 22 years,
All Resident of village Kurra, P.S.Lailunga, District-Raigarh (CG)

---Applicants**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Lailunga,
Civil & Revenue District-Raigarh (CG)

---Non-applicant

For Applicants	:	Mr. M.K.Jaiswal, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy.Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

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.152/2015, registered at Police Station-Lailunga, District-Raigarh (C.G.), for the offence punishable under Sections 147, 353, 186, 332/34, 294, 506B & 452 of the IPC and Section 3(2) (a) of the Lok Sampatti Nivaran Adhiniyam, 1984.
2. Case of the prosecution, in brief, is that on 1.6.2015 the applicants along with other co-accused persons interfered with the governmental work to be performed by public servants and caused hurt and endangered the life of public servants.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in the offence in question as they are nothing to do with the

same. He would further submit that injuries suffered by the victim are simple in nature and co-accused Madhav Uraon, Ghuran Ram and Diwakar Bhagat have admitted to bail by this Court vide order dated 25.8.2015 passed in M.Cr.C.Nos.4300 and 3673 of 2015 and case of the present applicants is similar to that of the co-accused, and therefore, they are also entitled to be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; taking into consideration the nature and gravity of the offence, role of the present applicants, their pre-trial detention and the fact that bail was granted to other similarly situated co-accused, 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 **Pitamber Bhuiya, Pradeep Khalkho, Syam Lal Rathiya, Lalit Kujur** and **Kartikram Nagwanshi** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety 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/-

(Sanjay K. Agrawal)
JUDGE

B/-