

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5051 of 2015**

- Goverdhan Sahu @ Pappu Sahu, S/o Shri Parmatma Sahu, aged about 22 years, R/o Village Temri, PS City Kotwali, Mungeli, District Mungeli (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: - Police Station City Kotwali, Mungeli (C.G.)

---- Non-applicant**MCRC No. 5072 of 2015**

- Sanjay Kumar Sahu, S/o Rajendra Sahu, aged about -21 years, R/o- Village – Temri, P.S. - City Kotwali, Mungeli, District – Mungeli (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station – City Kotwali, Mungeli, District – Mungeli (C.G.)

---- Non-applicant**And****MCRC No. 4927 of 2015**

- Ravishankar Sahu, S/o Baisakhu Ram Sahu, aged about 21 years, R/o – Village – Temri, P.S. City Kotwali, Mungeli, District Mungeli (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station – City Kotwali, Mungeli, District – Mungeli (C.G.)

---- Non-applicant

For Applicant: Mr. Dheerendra Pandey, Advocate in
M.Cr.C. No. 5051/2015.

For Applicant: Mr. Anish Tiwari, Advocate in M.Cr.C.
Nos. 5072/2015 & 4927/2015.

For Respondent/State: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/09/2015

Heard.

(1) Above mentioned three bail applications filed under Section 439 of the Cr.P.C. arise out of a common Crime No.275/2015, registered at Police Station City Kotwali, Mungeli, Distt. Mungeli, for the offences punishable under Sections 294, 323, 452, 427,506 (b), 324 of the Indian Penal Code and Section 139 of the Electricity Act, 2003, therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief, is that on 11.6.2015 at 7 pm applicants and one another co-accused persons entered into Power Station, Temri unauthorisedly with dangerous weapons and caused damage/broken the control penal and also assaulted watchman, by which he suffered grievous injuries, which were sufficient to cause his death.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have nothing to do with the same. He further submits that except the name of one Sanjay Sahu, applicants are not named in the First Information Report; the applicants are the College going students and they have no past criminal records. He further submits the

applicants are in jail 31.07.2015; charge sheet has already been filed and no useful purpose would be served in keeping them in jail and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State submits that present applicants acting after preparation of hurt with dangerous weapons and damaged the control panel of Sub- Station, Temri and assaulted watchman, by which he suffered grievous injuries, which were sufficient to cause his death.

(5) Taking into consideration the facts & circumstances of the case; role of the present applicants in the offence in question; further considering the facts that applicants are the college going students; and the nature of injuries suffered by the watchman of the Electricity Board; pre-trial detention and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants – Goverdhan Sahu @ Pappu Sahu, Sanjay Kumar Sahu & Ravishankar Sahu are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

