

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5666 of 2015**

1. Panna @ Parmeshwar Dhirhi, son of Umend, aged about 35 years,
2. Rameshwar Dhirhi son of Umend, aged about 36 years,

Both are resident of Village-Nipaniya, Police Station-Lalpur, District-Mungeli (CG)

---Applicants

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-Lalpur, District-Mungeli (CG)

---Non-applicant

For Applicants	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

15/10/2015

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.31/2015, registered at Police Station-Lalpur, District-Mungeli (CG), for the offence punishable under Sections 307, 341, 147, 149, 294, 506, 186, 353 & 332 of the IPC and Sections 7, 11 (m) and 14 (d) of the Chhattisgarh Local Authorities (Electoral Offences) Act, 1964.

2. Case of the prosecution, in brief, is that the present applicants along with other co-accused persons assaulted the polling party and presiding officer of polling party, namely Ramgopal Verma-Head master when they were returning after election duty and interfered with their Governmental duty and thereby committed the aforesaid offences.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime

in question. He would further submit that they have not been named in the F.I.R. lodged on 5.2.2015 and they have only named in 161 Cr.P.C. statement of Ramgopal Verma. He would also submit that the applicants are in jail since 14.9.2015 and charge-sheet has already been filed and therefore, they may be enlarged 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; further taking into consideration the nature and gravity of offence; role of the present applicants and the fact that bail was granted to similarly situated co-accused namely Malikram and Mahendra vide order dated 17.6.2015 passed in M.Cr.C.No.2743 of 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 the applicants 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/-