

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5663 of 2015

1. Loknath, S/o Damru, aged 25 years,
2. Sudu Nagesh, S/o Lachchu Nagesh, aged 30 years, Caste Mahra,
3. Tikaram, S/o Kursoram, aged 25 years, Caste Bhatra,

All R/o Vill. Soudpur, Barpagudapara, P.S. Karpawand, Civ. & Rev. Distt.
Bastar Jagdalpur (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through P.S. Karpawand, Civ. & Rev. Distt.
Jagdalpur (C.G.)

---- Non-applicant

For Applicants:	Mr. Devershi Thakur, Advocate.
For Non-applicant:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/10/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.74/2015, registered at Police Chowki Karpawand, Distt. Jagdalpur, for the offence punishable under Sections 452, 294, 323, 506 and 427 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants on 2-9-2015 at 12 mid night entered into the house of complainant Anju Mishra and abused, threatened and assaulted him and also caused damage to the property worth Rs.2,000/-.
3. Learned counsel for the applicants submits that there is some demarcation dispute between the complainant's family and the accused family and, therefore, the applicants have been falsely implicated in the crime and they

have not committed any offence. The applicants are in jail since 7-9-2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicants, their pretrial detention, nature of injury and the fact that charge-sheet has been filed, I am of the view that it is a fit case to grant regular bail to the applicants. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants 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 Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge