

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5879 of 2015

- Shatruhan Sahu S/o Shri Jhadu Ram Sahu Aged about 60 Years R/o Village Rewapar, Police Station City Kotwali Mungeli, District Mungeli Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali District Mungeli Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. C.K. Sahu, Advocate
For the Respondent	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 316/2015 registered at P.S. City Kotwali, Mungeli Distt. Mungeli (C.G) for the offence punishable under Sections 294, 506B, 325, 323, 307/34 IPC.
2. As per the prosecution case, on 13.07.2015 the applicants and other co-accused persons assaulted Dilpa Sahu, Kamal Sahu and Rajmati Sahu by wooden stick thereby they sustained grievous injuries which were sufficient to cause death.
3. Learned counsel for the applicant submits that he has not committed any offence and has been falsely implicated in this case. He submits that a dispute arose between the parties about the boundary (medh) of the field and the injuries received by the victims are simple in nature. He further submits that similarly placed co-accused have been released on bail by this court in M.Cr.C.No.5468 of 2015 by order dated 13.10.2015 and the case of the applicant is not different

that of the other co-accused. He therefore prays for releasing the applicant.

4. On the other hand, learned State Counsel opposes the bail application. However, he does not dispute the fact that the other co-accused have already been granted bail.
5. Taking into account that similarly placed co-accused have been enlarged on bail by the coordinate Bench of this Court and the fact that the applicant is in jail since 14.07.2015, I am inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE