

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 299 of 2016

1. Dharmjeet Yadav S/o Javahir Yadav Aged About 40 Years R/o Village - Jhalariya Patel Para, Police Station - Psta, District - Balrampur-Ramanujgunj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh
2. Dharmdev Yadav S/o Javahir Yadav Aged About 32 Years R/o Village - Jhalariya Patel Para, Police Station - Psta, District - Balrampur-Ramanujgunj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh
3. Sanjay Yadav S/o Devnath Yadav Aged About 23 Years R/o Village - Jhalariya Patel Para, Police Station - Psta, District - Balrampur-Ramanujgunj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh
4. Sudesh Yadav S/o Devnath Yadav Aged About 26 Years Occupation - Agriculture R/o Village - Jhalariya Patel Para, Police Station - Psta, District - Balrampur-Ramanujgunj, Civil District - Surguja, Revenue District - Balrampur, Chhattisgarh

---- Applicants

Versus

The State Of Chhattisgarh Through S. H. O. Police Station - Psta, District - Balrampur-Ramanujgunj, Chhattisgarh

---- Respondent

For applicants -Shri A.K. Prasad, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/01/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 27/2015 registered in Police Station Psta, District - Balrampur-Ramanujgunj, Chhattisgarh for offence punishable under section 147, 307 and 455 of Indian Penal Code.
2. As per the prosecution case on 6/11/2015 the applicants along with other co-accused entered into the house of the complainant Jagvir and thereafter tried to throttle Jagvir and his wife whereby both became unconscious. Thereafter, when they regained their conscious, report was made.

3. Learned counsel for the applicants submits that the applicants and the complainant are related to each other and because of the land dispute such report has been made and all the injury report are simple in nature and had there been any intention to kill, the applicants could have killed the complainant and his wife since as alleged they had become unconscious. He further submits that charge sheet has been filed, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and the evidence collected and the medical evidence also and statement of Gopal also perused. Taking into fact that Gopal after the incident started, fled away from the scene. Taking into such fact applicants and the complainant were only present at the scene of the incident, considering the evidence available, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE