

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 887 of 2016**

1. Tirpan, S/o Bhagat, aged about 50 years
2. Jayant, S/o Tirpan, aged about 25 years.

Both are resident of Village Sakholi, P.S. Dourpur, Distt. Sarguja (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through the Station House Officer,
Police Station Dourpur, Distt. Sarguja (C.G.)

-----Non-applicant

For Applicants: Mr. Jitendra Shrivastava, Advocate.
For Non-Applicant/State: Mr. Aditya Sharma, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/03/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 01/2016 registered at Police Station Dourpur, District Sarguja for the offences punishable under Sections 147, 149, 294, 506B, 325 and 452 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 19.11.2015 applicants assaulted complainant Jaynati Paikra, by which she suffered injuries in her left hand and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants & the

complaints are close relatives to each others; and there is landed dispute between them and it is pending consideration before the Tahsildar Lundra and, as such, the applicants have been falsely implicated in the offence in question. He submits that all the offences alleged against the applicants are bailalble except offence under Section 452 of the Indian Penal Code; and the applicants are in detention since 20th January, 2016 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the relationship between the parties; and the facts that applicants are in detention since 20.01.2016 and the substantial investigation has already been made; 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 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.

Sd/-

(Sanjay K. Agrawal)

Judge

