

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1174 OF 2016**

1. Pitram son of Sunadhar aged about 45 years
 2. Babulal son of Sunadhar aged about 42 years
 3. Ramkrishna son of Sunadhar aged about 50 years
- All are resident of village Lanti Police Station and
Tahsil Saraipali District Mahasamund C.G.

---Applicants**Versus**

State of Chhattisgarh through Station House Officer
Police Station Saraipali District Mahasamund C.G.

---Non-applicant

For Applicants	:	Mr. L.C. Dash, Advocate
For Non-applicant	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/03/2016**

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. 36/2016, registered at Police Station Saraipali, Distt. Mahasamund (C.G.), for the

offence punishable under Sections 294, 326, 506/34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicants caused grievous hurt to complainant Praveen Kumar and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the offence in question. He would further submit that applicants are in jail since 01/02/2016 and no custodial interrogation is required, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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 in offence in question; nature of injury

and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, **Pitram, Babulal and Ramkrishna** 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