

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1262 of 2016

1. Shubham, S/o. Vijay, Aged About 21 Years.
2. Dinuram, S/o. Chaturbhuj Sahu, Aged About 27 Years.
3. Rupesh Kumar, S/o. Bhushanlal, Aged About 22 Years, Caste Teli.
4. Girish Kumar, S/o. Bhushanlal, Aged About 19 Years, Caste Teli.
5. Rupendra Kumar Gore, S/o. Bisoha Gore, Aged About 22 Years.

All are R/o. Chilhati Kala, Thana & Tahsil Dondilohara, District
Balod, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police
Station Dondilohara, District Balod, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Shivendra Bhardwaj, Advocate.
For Respondent	:	Mr. Arvind Shukla, Panel Lawyer.
For Objector	:	Mr. Purnendra Khichariya, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29.02.2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.315/2015 registered at Police Station– Dondilohara, District Balod (C.G.) for the offence punishable under Sections 294, 323, 506-B, 147, 148, 149, 427, 458 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 12.11.2015 at about 6 O'clock at the time of Govardhan Pooja, a dispute arose on firing of

the Crackers, thereafter, it is alleged that the applicants have assaulted Dilip Kumar Sharma and their family members.

3. Learned counsel for the applicants submits that this is the second bail application, the earlier bail application was dismissed as withdrawn with liberty to repeat the bail application after filing of the charge sheet. He further submits that now the charge sheet has been filed and the applicants are in jail since 15.12.2015, therefore, they may be enlarged on bail.
4. Per contra, learned State counsel and the learned counsel for the Objector opposes the prayer for grant of bail.
5. Perused the statement of Dilip Kumar Sharma and other witnesses. Considering the degree of allegation against the applicants and the fact that the charge sheet in this case has been filed and taking into fact that the applicants are in jail since 15.12.2015, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicants shall be released on bail on their furnishing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge