

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1429 of 2016

1. D. Chakradhar, S/o D. Ishwar Rao, aged about 53 years,
2. D. Bhagya Laxmi, W/o D. Chakradhar, aged about 50 years,
3. D. Nanda, D/o D. Chakradhar, aged about 22 years,

No.1 to 3 are Quarter No.13/F, Road-51, Balaji Nagar, Khursipar, Bhilai, Tahsil & District Durg (C.G.)

4. D. Anju Dharm, D/o Shrinu, aged about 28 years, R/o Road No.54, Khursipar, Bhilai, Tahsil and District Durg (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Khursipar, District Durg (C.G.)

---- Non-applicant

For Applicants:	Mr. B.P. Singh, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/03/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.364/2015, registered at Police Station Khursipar, Distt. Durg, for the offence punishable under Sections 452, 294, 506, 323 and 307 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 27-10-2015, the applicants after trespassing into the house of D. Bhanumati assaulted her by wooden rod and stick by which she suffered grievous injuries which were sufficient to cause death, and they also

abused and threatened her to kill her.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case. Injuries are simple in nature. The applicants are in jail since 27-10-2015. Charge-sheet has been filed and no custodial interrogation of the applicants is required, therefore, the applicants deserve to be released on bail.
4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicants, their pretrial detention, charge-sheet has been filed and the applicants are in jail for more than four months, I am of the view that it is a fit case to enlarge the applicants on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants 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 Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge