

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2067 of 2016**

1. Keshav Prasad Yadav, S/o. Mani Ram Yadav, aged about 53 years
2. Bhola Prasad Yadav, S/o. Mani Ram Yadav, aged about 44 years,
3. Raju Prasad Yadav, S/o. Mani Ram Yadav, aged about 33 years,
4. Ganga Ram Yadav, S/o. Mani Ram Yadav, aged about 30 years,
5. Mahesh Prasad Yadav, S/o. Mani Ram Yadav, aged about 30 years,
6. Tripurari Yadav, S/o. Keshav Prasad, aged about 29 years,
7. Chotu Prasad Yadav, S/o. Keshav Yadav, aged about 20 years
8. Sanjay Yadav, S/o. Bhola Prasad Yadav, aged about 22 years

All above are R/o. Village Kudari Dih (Jangal Para), Police Station Kamleshwarpur, Post Kamleshwarpur, Civil & Revenue District Surguja (CG)

---Applicants

Versus

State of Chhattisgarh, through Police Station Kamleshwarpur, District Surguja (CG)

---Non-applicant

For Applicants	:	Mr. Manoj Paranjape, Advocate
For Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/04/2016

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.12/2016, registered at Police Station-Kamleshwarpur, District-Surguja (CG), for the offence punishable under Sections 147, 186, 294, 323 & 353 of the IPC and Section 3 (1) (10) of the Atrocities Act.

2. Case of the prosecution, in brief, is that the applicants assaulted complainant Tahsildar-Sunil Sonpipre on 28.2.2016, used criminal force

and deterred him from discharging public duty knowing fully well that he is member of Scheduled Caste and thereby committed the offences.

3. Learned counsel for the applicants would submit that the applicants have also lodged the report which has not been registered and on a false complaint they have falsely been implicated in crime in question. They are in jail since 28.2.2016 and charge-sheet has not been filed as yet.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants, nature of injuries and their pre-trial detention, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-