

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2786 of 2016

1. Guman Singh Deshmukh S/o Durguram Deshmukh Aged About 38 Years R/o Village. Tirga, P.S. Anda, Civil & Revenue Distt. Durg, Chhattisgarh
2. Dushyant Kumar S/o Sundar Lal Deshmukh Aged About 27 Years R/o Village. Tirga, P.S. Anda, Civil & Reve. Distt. Durg, Chhattisgarh.
3. Ramavtar Dhimar S/o Dukhit Dhimar Aged About 20 Years R/o Village. Tirga, P.S. Anda, Civil & Reve. Distt. Durg, Chhattisgarh

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Versus

- State of Chhattisgarh Through : P.S. Anda Civil & Rev. Distt. Durg Chhattisgarh
- Respondent

For the applicant	:	Mr. Mayank Chandrakar, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 33/2016 registered at P.S. Anda, District Durg (C.G) for the offence punishable under Section 341, 385 & 329/34 IPC.
2. As per the prosecution case, on 22.03.2016 at about 4 p.m., while the complainant Rajkumar alongwith other colleagues was going towards village Tirga by his motorcycle on the way near main road they were stopped by the present applicants by tying a rope on both sides of the road and demanded donations for Holi festival. When the complainant refused to give donations and wanted to go ahead, the rope was pulled down by the applicants, as a result of which the complainant

fell down and sustained injuries.

3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and no further evidence is required and the incident took place on account of collecting donations for holy festival and no intention was there to cause any hurt to the complainant, therefore, the applicants may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statement of complainant and other documents.
6. Having regard to the totality of the facts and circumstances of the case and looking to the way in which the offence committed and the background of the offence as also the fact that the charge sheet in this case has been filed and the applicants are stated to be in jail since 05.4.2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing 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. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE