

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4975 of 2016

1. Guruwaru, S/o Ghundu Rathiya Aged About 45 Years R/O Village Dhumabahal, Police Station Chakradhar Nagar, Tahsil & District Raigarh Chhattisgarh
2. Sunder Lal S/o Ramdular Rathiya Aged About 34 Years R/o Village Dhumabahal, Police Station Chakradhar Nagar, Tahsil & District Raigarh Chhattisgarh.
3. Dhanesh Ram S/o Ramcharan Rathiya Aged About 40 Years R/o Village Dhumabahal, Police Station Chakradhar Nagar, Tahsil & District Raigarh Chhattisgarh.
4. Ashok S/o Mohar Singh Rathiya Aged About 25 Years R/o Village Dhumabahal, Police Station Chakradhar Nagar, Tahsil & District Raigarh Chhattisgarh. --- Applicants

Versus

State of Chhattisgarh Through - Station House Officer, Police Station Chakradhar Nagar, District Raigarh Chhattisgarh --- Respondents

For the applicants	:	Mr. Ashish Gupta, Advocate
For the Respondent	:	Mr. Sumit Jhawar, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.08.2016

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. 230 of 2016 registered at P.S. Chakradhar Nagar, Distt. Raigarh (C.G) for the offence punishable under Sections 294, 506, 332, 353, 34 of IPC.
2. As per the prosecution case, on 20.07.2013 a report was made by one Balram Sahu that when they went to a village Dhumabahal to recover the amount of electricity bill, at that time, the applicants along-with other villagers abused and assaulted the complainant, thereby the offence is committed.

3. Learned counsel for the applicant submits that the applicants have been falsely implicated and only simple altercation took place between the complainant and some of the villagers and the names of the applicants have been wrongly inculpated by the complainant. He further submits that no injury has been sustained by the complainant and the applicants are in jail since 21.07.2016 therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of complainant and witnesses.
6. Considering the totality of the circumstances as also the fact that the applicants are in jail since 21.07.2016, 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 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**