

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7352 of 2015

1. Rupchand Yadav S/o Jagai Yadav Aged About 25 Years Caste Ahir, R/o Village Nawapara, Police Chowki Pandrapat, P.S. Bagicha, District Jashpur, Chhattisgarh.

2. Dayashankar Yadav S/o Banshidhar Yadav Aged About 27 Years Caste Ahir, R/o Village Nawapara, Police Chowki Pandrapat, P.S. Bagicha, District Jashpur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Incharge Police Chowki Pandrapat, Police Station Bagicha, Distt. Jashpur, Chhattisgarh.

---- Respondent

For applicants - Shri J.K. Saxena, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/01/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 195/2015 registered in Police Station Police Chowki- Police Chowki-Pandrapat, Police Station-Bagicha, District Jashpur (C.G.) for offence punishable under section 307/34 of Indian Penal Code and Section 25 of Arms Act.

2. As per the prosecution case on 26/10/2015 a report was made that dispute arose between complainant Laxmi Yadav and the accused namely Sitaram, Sanjay, Rupchand and Dayashankar and cattles were allowed to graze the field. Consequently, Laxmi Yadav was assaulted by the accused.

3. Learned counsel for the applicants submits that main allegation of causing assault by weapon is on Sitaram and Sanjay and primary allegation of dispute are not against Rupchand and Dayashankar and only they were present on the spot and according to the statement, Rupchand

and Dayashankar has not caused any fatal blow to the injured Laxmi Yadav, therefore considering the role played by these applicants they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having considered the statement of Laxmi Yadav the injured the main allegation of causing injury are against Sitaram and Sanjay by weapon and also taking into account role played by these applicants, considering the facts and circumstances of the case and applicants are in jail since 28/10/2015, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE