

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1829 of 2016**

1. Ram Das Satnami, S/o Shri Tangu, aged about 55 years.
2. Bhuwan Satnami, S/o Shri Ram Das, aged about 32 years.
3. Jitendra Satnami, S/o Shri Lalaram, aged about 26 years.

All are resident of Village Gangdwari, P.S. Pathariya, District Mungeli (CG).
---- Applicants

Versus

State of Chhattisgarh, through Station House Officer, P.S. Pathariya, District Mungeli (CG).

---- Non-applicant

For Applicant : Shri F.S. Khare, Advocate
 For Non-applicant/State : Shri Suvigya Awasthi, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

05/04/2016**(1)** Heard.

(2) 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 on 04.03.2016 in connection with Crime No.31/2016, registered at Police Station Pathariya, District Mungeli, for the offence punishable under Sections 294, 506, 323 & 326/34 of the Indian Penal Code.

(3) Case of the prosecution, in brief, is that on 30.01.2016 the present applicants caused grievous hurt to victim- Naresh and also abused him and thereby, committed the aforesaid offences.

(4) Learned counsel appearing for the applicants submits that the

applicants have been falsely implicated in the crime in question and they have not committed any offence. He further submits that the applicants are in jail since 04.03.2016, charge-sheet has not been filed and therefore, the applicants may be released on bail.

(5) On the other hand, learned counsel for the State opposes the bail application.

(6) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(7) Taking into consideration the facts and circumstances of the case, nature and gravity of the offences, the role of the present applicants and further taking into consideration the evidence available on record and pretrial detention of the applicants and the facts that the present applicants are in jail since 04.03.2016, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(8) Accused/applicants namely (1) Ram Das Satnami, (2) Bhuwan Satnami & (3) Jitendra Satnami are directed to be released on bail on their executing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-