

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 658 of 2016

1. Samay Nath Manjhi S/o. Ratan Singh, Aged about 28 years.
2. Karam Singh S/o. Nohar Sai, aged about 46 years.
3. Dayaram Sidar S/o. Salikram Sidar, aged about 45 years.
4. Chandra Kumar S/o. Heeraram Yadav, aged about 28 years.
5. Dhaniram S/o. Sukh Sai, aged about 35 years.
6. Ramkumar (wrongly mentioned as Rakumar) son of Phool Singh Rathiya, aged about 25 years.
7. Ram Singh S/o. Beejaram, aged about 40 years, Caste- Manjhi

All are resident of Village Chirramuda, Police Station- Tamnar,
District Raigarh (C.G.)

---- Applicants

Versus

State of Chhattisgarh Through, Station House Officer, Police
Station- Tamnar, District Raigarh (C.G.)

---- Respondent

For Applicants	:-	Mr. V.R.Tiwari, Advocate
For Respondent/ State	:-	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

08/02/2016

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 198/2015 registered at Police Station- Tamnar, District Raigarh (C.G.) for the offence punishable under Sections 304,201,34 of Indian Penal Code (however, the challan has been filed for the offence punishable under section 304(part-I), 201, 34 of IPC and section 135 of Electricity Act, 2003.

2. The first bail application of the applicants was dismissed on merit on 02.11.2015 in M.Cr.C. No. 5751/2015.
3. Case of the prosecution, in brief, is that the applicants spread the electric line in his filed which was electrified with 11 KV current and because of that one person namely Bodhram who came in contract with such current died.
4. Counsel for the applicants submits that the charge sheet has been filed in this case. He further submits that no further investigation is required in this case and according to the statement of Maya Dhar, the deceased used to go to forest for hunting pig and the deceased himself invited to cause the accident. He further submits that no further investigation from these applicants are required in this case. He further submits that the charge-sheet has been filed and the applicants are in jail since 29.09.2015, therefore, they may be enlarged on bail.
5. State counsel opposes the prayer for grant of bail.
6. Considering the facts and circumstances of the case, that the charge sheet in this case has been filed and all the investigation is completed and the trial may take some time for hearing the case. Taking into the fact that the charge-sheet in this case has been filed and the applicants are in jail since 29.09.2015, this Court is of the opinion that it is not a fit case where the applicants can be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Santosh