

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.772 of 2016

1. Vinod Yadav S/o Goverdhan Yadav, aged about 21 years, (wrongly mentioned Bilwa Yadav in the order sheet)
 2. Pramod Yadav S/o Goverdhan Yadav, aged about 19 years,
 3. Durga Shankar S/o Rajkumar Yadav, aged about 22 years,
 4. Santosh Yadav S/o Kaushal Prasad Yadav, aged about 22 years,
- All are R/o Yadav Mohalla, Beltara, P.S.-Kota, Distt.Bilaspur (CG)

---Applicants

Versus

State of Chhattisgarh, through, Station House Officer, Police Station Ratanpur, Distt.-Bilaspur (CG)

---Non-applicant

For Applicants	:	Mr. Awadh Tripathi, Advocate
For Non-applicant	:	Mr.Adi Raj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

29/02/2016

1. 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 in connection with Crime No.291/2015, registered at Police Station-Ratanpur, District-Bilaspur (CG), for the offence punishable under Sections 341, 147, 148, 149, 186, 353, 332 and 307 of the IPC.
2. Case of the prosecution, in brief, is that on 4.12.2015 the applicants assaulted police party and deterred them from performing their duties by which the police officials/victims suffered grievous injuries which were sufficient to cause their death and thereby committed the aforesaid offences.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been

implicated in crime in question. He would further submit that it is co-accused Goverdhan Yadav who has caused injuries by lathi, the applicants have not made any assault to the police officials/victims, they are in jail since 5.12.2015 and charge-sheet has already been filed and therefore, they may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; nature of injuries; role of the present applicants; their age, their pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

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

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-