

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1322 of 2016

1. Purshottam Sahu, S/o Shri Bhooshan Sahu, aged about 30 years.
2. Tukaram Sahu, S/o Shri Bhooshan Sahu, aged about 35 years.
3. Narendra Kumar Sahu, S/o Shri Manik Sahu, aged about 20 years.
4. Rameshwar Sahu, S/o late Shri Jagannath, aged about 45 years.

All are R/o Village Dhourabhatha, Police Station Magarlod, Civil & Revenue Distt. Dhamtari (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Police Station Magarlod, Distt. Dhamtari (C.G.)

---- Non-applicant

For Applicants:	Mr. R.S. Patel, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/03/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.284/2015, registered at Police Station Magarlod, Distt. Dhamtari, for the offence punishable under Sections 147, 148, 452, 294, 323, 506, 325 and 427 read with Section 149 of the IPC.
2. Case of the prosecution, in brief, is that on 13-11-2015, a report was lodged by complainant Tukesha @ Tukeswar Dewangan alleging that the applicants have assaulted him and his family members by way of club and other arms, and thereby committed the offence.
3. Learned counsel for the applicants submits that initially, the

applicants were present in their house, they were not the aggressors, the complainant party entered into the house of the applicants for which a report was made earlier by the present applicants and which was registered at Crime No.283/2015 and the present applicants in their house were assaulted and beaten by the complainant party. The present applicants are in jail since 4-2-2016 and similarly situated co-accused persons Thakur Ram Sahu and seven other persons have been granted regular bail by order dated 28-1-2016 passed by a coordinate Bench of this Court in M.Cr.C. No.280/2016.

4. On the other hand, learned State counsel opposes the application and after verifying the records submits that present case is similar to that of co-accused persons who have already been granted regular bail by this Court.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicants, their pretrial detention, in particular the fact that similarly situated co-accused persons have already been granted regular bail, I am of the view that it is a fit case to enlarge the present applicants also on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants 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 Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge