

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1672 of 2016**

1. Mahesh Tambe, Son of Late Bhadu Ram Tambe, aged about 41 years,
2. Smt.Dharmrakshita Tambe, wife of Mahesh Tambe, aged about 38 years,
Both R/o. Shanti Nagar, Street No.7, House No.649, Supela, Bhilai,
P.S. Supela, Tahsil and District Durg (CG)

---Applicants**Versus**

State of Chhattisgarh, Through The District Magistrate, Durg, P.S.
Supela, Chowki Vaishali Nagar, District Durg (CG)

---Non-applicant

For Applicants	:	Mr. Raghvendra Pradhan, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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.982/2015, registered at Police Station-Supela, District-Durg (CG), for the offence punishable under Sections 294 & 506 of the IPC and Section 5 of the Chhattisgarh Tonhi Pratadna Adhiniyam.
2. Case of the prosecution, in brief, is that the applicants abused and threatened the complainant by calling her witchcraft and thereby committed the offence.
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 the applicants are in jail since 29.2.2016 and charge-sheet has already been filed, 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, nature & gravity of the offence, role of the present applicants, 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 his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-