

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.1730 of 2016**

1. Rupdhar Sahu S/o. Late Shri Chandrika Sahu, aged about 68 years,
2. Gajanand S/o. Rupdhar Sahu, aged about 40 years.
3. Seetaram S/o. Rupdhar Sahu, aged about 36 years

All are Agriculturist, R/o. Village Kailashpur Dongaripali, Thana & Tahsil-Pithoura, Civil & Revenue Distt.-Mahasamund (CG)

---Applicants

**Versus**

The State of Chhattisgarh, Through the Station House Officer, Police Station Pithoura, Civil & Revenue Distt.-Mahasamund (CG)

---Non-applicant

---

|                   |   |                                 |
|-------------------|---|---------------------------------|
| For Applicants    | : | Mr. Sunil Sahu, Advocate        |
| For Non-applicant | : | Mr. Aditya Sharma, Panel Lawyer |

---

**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**28/03/2016**

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.216/2015, registered at Police Station-Pithoura, District-Mahasamund (CG), for the offence punishable under Sections 294, 506 and 307/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicants assaulted three victims namely Anil, Nandlal and Sunder by wooden stick and axe on 27.11.2015 by which they suffered grievous injuries which were sufficient to cause their death.

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 injuries are simple in nature, the applicants are in jail since 27.11.2015 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, nature & gravity of the offence, role of the present applicants, their pre-trial detention for more than four months, injuries are said to have been simple in nature 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/-