

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1807 of 2016**

1. Sampat S/o Dujram, aged 25 years Caste-Satnami,
2. Dilip S/o Rama, aged 26 years Caste-Satnami,
3. Shankarlal S/o Biharilal, aged 24 years Caste-Bareth,
4. Aakash @ Prakash S/o Sonchand, aged 23 years,
5. Vijay S/o Badriprasad aged 34 years, Caste-Suryavansi,

All are R/o Muktaraja Baradwar District Janjgir-Champa(C.G.).

---- Applicants

Versus

The State Of Chhattisgarh, Through-The District Magistrate, Janjgir-Champa, (C.G.)

---- Non-applicant

For Applicants: Mr. Ishwar Jaiswal, Advocate.
For Non-applicant/State: Mrs. Astha Sukhla, PL.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22/04/2016****Heard.**

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 51/2015 registered at Police Station Baradwar, Distt. Janjgir-Champa, for the offences punishable under Sections 365, 342, 323, 147, 149, 34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 26.01.2016 applicants abducted complainant on account of some dispute and also caused hurt and wrongfully confined him for fairly long

time and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that the applicants have been falsely implicated in the offence in question as they have nothing to do with the same. According to him, as the wife of applicant No. 5 is a president of Nagar Panchayat Baradwar and belongs to reputed family, the applicants have been falsely implicated in the offence in question in which they are in jail since 28.01.2016, 28.02.2016 and 5.03.2016, respectively, charge-sheet has already been filed and no useful purpose would be served in detaining them in jail and therefore, applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts and circumstances of the case; role of the applicants in the offence in question; their pretrial detention, nature of dispute and the rivalry between the parties and the fact that charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

