

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2011 of 2016**

1. Vistur, S/o. Gorelal Dhurve, aged about 40 years,
2. Ghunsiram, S/o. Dodal, aged about 50 years.
3. Jalram, S/o. Gorelal, aged about 22 years.

All R/o. Vill: Chanta, P.S. Kukdur, Tehsil Pandaria, Distt. Kabirdham (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer,
Pandariya, Distt. Kabirdham (C.G.)

---- Non-applicant

For Applicants: Mr. Ajay Ayachi, Advocate.
For Non-applicant /State: Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****18/04/2016**

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. 79/2015 registered at Police Station Kukdur, District Kabirdham (C.G.) for the offences punishable under Sections 294, 506, 323 & 324/34 of the Indian Penal Code and Section 4 & 5 of the Tonhi Pratarna Act.

(2) Case of the prosecution, in brief, is that applicants are said to have beaten Bhuku Ram alleging that he used to practice witchcraft and thereby committed the aforesaid offences.

(3) Counsel for the applicants would submit that applicants have been falsely implicated in the offence in question as they have not committed any offence. He further submits that the applicant is languishing in jail since 26.01.2016 and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

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

(5) Taking into consideration the nature & gravity of the offence; facts & circumstances of the case; role of the applicants in the offence in question; their pre trial detention and further considering the fact that charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant 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

D/-