

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2087 of 2016**

1. Kaushilya Bai, W/o Shri Pulamber Barmate, aged about 52 years,
2. Ku. Goliya @ Deepbala, D/o. Pulamber Barmate, aged about 25 years.

Both, R/o. Village Palchuwa, Thana- City Kotwali, Revenue Distt. Mungeli, Civil Distt.- Bilaspur (C.G.)

---- Applicants**Versus**

The State Of Chhattisgarh, Through the Station House Officer, Police Station City Kotwali Mungeli, Distt. Mungeli (C.G.)

---- Non-applicant

For Applicant: Mr. Sunil Sahu, Advocate.
 For Respondent/State: Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/04/2016**

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. 49/2016 registered at Police Station City Kotwali, Mungeli for the offences punishable under Sections 147, 148, 149, 294, 324, 326, 323 and 307 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 15.01.2016 applicants and three other accused persons assaulted victim Vidhya Das Banjara by wooden stick and *tabba* by which he suffered grievous injuries, which were sufficient to cause his

death.

(3) Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the offence in question as they have not committed any offence and on account of cleaning drain near the house of victim, some dispute arose between the parties, in which accused persons have been implicated; and they are in jail since 16.01.2016 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; pre trial detention and further taking into account the nature of dispute arose between the parties; 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

D/-

