

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2145 of 2016**

1. Krishna Sahu, S/o. Jagdish Sahu, aged about 20 years
2. Nilesh Dhruv, S/o Kunwar Singh Dhruv, aged about 18 years

Both above are R/o. Sundari Para, Mowa, Police Station Vidhansabha, Post Mowa, Civil & Revenue District Raipur (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh, through Police Station Vidhansabha, District Raipur (C.G.)

---- Non-applicant

For Applicant: Mr. Manoj Paranjpe, Advocate.
For Non-applicant/State: Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/05/2016**

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. 72/2016 registered at Police Station Vidhansabha, District Raipur for the offence punishable under Sections 147, 452, 295, 323 & 427 read with Section 34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 6-3-2016 at 11 a.m., members of Christian community were offering prayer to Jesus Christ in their prayer hall at Kachna, Raipur, the applicants along with other co-accused entered into the said prayer hall

shouting slogan "Jai Shriram" forcibly without permission of Pastor Ankush Bariyekar and broken chair, table fan, musical instrument etc., and also damaged the "Pulpit" which is very sacred and symbolizes very important in Christian community and caused hurt to the complainants and other persons who were making prayer, and thereby committed the offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is languishing in jail since 16.03.2016 and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) Per contra, counsel for the State opposes the bail application and submits that bail applications of similarly situated co-accused have already been rejected by this Court in M.Cr.C. No.2061/2016 on 20.04.2016 and therefore, the applicants are not entitled to be released on bail.

(5) Taking into consideration the nature & gravity of the offence; facts & circumstances of the case and particularly the fact that bail applications of similarly situated co-accused have already been rejected by this Court in M.Cr.C. No.2061/2016 on 20.04.2016; I am not inclined to release the applicants on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

