

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3108 of 2016

1. Paras Nishad S/O Pusau (Kolwa Nishad) Aged About 48 Years
R/O Village - Singhangarh, Police Station - S. Lohara, Civil &
Revenue District - Kabirdham Chhattisgarh
2. Devkumar Nishad S/O Pyare Nishad Aged About 19 Years R/O
Village - Singhangarh, Police Station - S. Lohara, Civil & Revenue
District - Kabirdham Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through - District Magistrate / Station House
Officer, Police Station - Sahaspur Lohara, District - Kabirdham
Chhattisgarh

---- Respondent

For Applicants : Mr. Dharmesh Shrivastava, Advocate

For Respondent/State : Ms. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 3-5-2016 in connection with Crime No. 84 of 2016 registered at Police Station Sahaspur Lohara, District Kabirdham (CG) for the offence punishable under Sections 452, 291, 506-B, 34 of IPC.
2. As per the prosecution case, a report was made by the complainant Ghasiram Nishads that on 29-4-2016 the applicant kicked the door of the complainant, went inside the house and thereafter he abused the complainant in filthy language and extended threat to cause his death and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case, charge-sheet has been filed in this case and the applicants are in jail since and no further investigation is necessary, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Taking into consideration the facts of the case, nature of allegation levelled against the applicants and further considering the fact that the charge sheet has been filed in the case, applicants are in jail since 3-5-2016, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with onesurety in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju