

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2792 of 2016

1. Jodhan Ram, S/o. Hariram Mahkul, aged about 36 years, (wrongly mentioned as 56 years), R/o. Village- Makribandha, Thana-Tapkara, Tahsil-Duldula, Civil & Revenue District-Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : S.H.O. - Police Station - Tapkara, District – Jashpur (Chhattisgarh)

---- Respondent

AND

M.CR.C. No. 3474 of 2016

1. Ramesh Chandra, S/o. Hariram Mahkul, aged about 32 years, R/o. Village- Makribandha, Thana – Tapkara, Tahsil-Duldula, Civil and Revenue District- Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : S.H.O. - Police Station - Tapkara, District – Jashpur (Chhattisgarh)

---- Respondent

For Applicants	:	Mr. Sunil Sahu, Advocate
For Respondent/State	:	Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/06/2016

1. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.1/2016, registered at Police Station – Tapkara, District – Jashpur (C.G.) for the

offence punishable under Section 294, 506-II and 307/34 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that over a land dispute Dulbudho, the complainant landed into altercation with Hariram and Hariram called Jodhanram and Ramesh. Dulbudho, complainant and Hariram were relatives. Subsequently, Jodhanram, Hariram and Ramesh assaulted Dulbudho and Tapeswar, whereby they were sustained injuries and thereby the offence has been committed.
3. Learned counsel for the applicants submits that the dispute arose over land between the relatives and the nature of the injuries can not be termed as stated to be grievous in nature as no bony injury was caused. He further submits that considering the background of dispute and the fact that charge-sheet has been filed and the applicants are in jail since 22.03.2016 and 25.04.2016 respectively, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Taking into consideration no bony injury was caused and the background of the dispute between two relatives over a land and the fact that no further investigation is required and further considering the fact that the applicants are in jail since 22.03.2016 and 25.04.2016 respectively, I am inclined to release the applicants on bail.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram