

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 156 of 2016

1. Khemlal Sahu @ Hemant Sahu, S/o. Salikram, Aged About 25 Years.
2. Roshan Sahu, S/o. Mohan Sahu, Aged About 22 Years.
3. Gendlal Sahu, S/o. Jethuram Sahu, Aged About 35 Years.
4. Bhukhan Sahu, S/o. Ramdayal Sahu, Aged About 40 Years.
5. Domanlal Sahu, S/o. Awadh Ram Sahu, Aged About 25 Years.
6. Jhammanlal, S/o. Awadhram, Aged About 36 Years.
7. Ramnarayan @ Pilli, S/o. Damodar Dhruv, Aged About 21 Years.
8. Kanhaiya, S/o. Khadan Sahu, Aged About 30 Years.

All are R/o. Village Hanchalpur, Police Station Bhakhara, Tahsil Kurud, District Dhamtari, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- Bhakhara, District Dhamtari, Chhattisgarh

---- Respondent

For Applicants : Mr. Y.C.Sharma, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.01.2016

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 in connection with Crime No.221/2015, registered at Police Station– Bhakhara, District Dhamtari (C.G.) for the offence punishable under Section 353, 186, 294, 506-B, 147, 148, 332 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 11.11.2015 the police patrolling party went to village Hanchalpur wherein the villagers were playing card and after seeing the police party they fled away. Subsequently, few of the villagers came and attacked the police

authority on the ground that on the date of Diwali festival they tried to catch hold of the persons and thereafter during such altercation few of the police constables also sustained injury.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case, as they were only present on the spot and their name has been inculpated. He further submits that considering the degree of allegation and the fact that the charge sheet has been filed and the applicants are in jail since 20.11.2015, they may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case, considering the nature of allegation and the degree of offence, taking into fact that the charge sheet has been filed and the applicants are in jail since 20.11.2015, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on 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