

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6419 of 2016

1. Ramashray Singh S/o Late Shri Ramashankar Singh Aged About 55 Years R/o Thanganpara, Police Station & Tehsil - Ambikapur District Sarguja Chhattisgarh
 2. Vishal Singh S/o Ramashray Singh Aged About 25 Years R/o Thanganpara, Police Station & Tehsil - Ambikapur District Sarguja Chhattisgarh
- Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Shankargarh, District Balrampur Chhattisgarh
- Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the Respondent	:	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 81/2014 registered at P.S. Shankargarh, Distt. Balrampur (C.G) for the offence punishable under Sections 332, 353, 186, 294, 506(B), 323 read with section 34 of IPC and section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, a report was made by one Dinesh Kumar Paikra on 29.07.2014 that in between 20.07.2014 and 24.07.2014, the applicants along-with other accused who were constructing a bridge at Geru river near village Bondana abused the complainant and obstructed the measurement of bridge and further crunched his ear by holding up and down thereby the offence is committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely been implicated in this case and in fact earlier the applicants have made report against the complainant wherein certain commission was asked by the him for construction of bridge which was refused, therefore, in order to avoid the consequences of the earlier report of applicants, false allegations have been made against the applicants.
 4. Per contra, learned State Counsel opposes the bail.
 5. Perused the case diary, documents as also the report made by the complainants also.
 6. Considering the totality of facts and circumstances of the case especially the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to allow this bail application.
 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 one surety each 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.
- C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**