

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7078 of 2016

1. Bajrang Sahu, S/o. Latel Ram Sahu, Aged About 19 Years, R/o. Village Jali, Police Station Ratanpur, District Bilaspur, Chhattisgarh.
2. Vinod Khairwar, S/o. Pardeshi Ram, Aged About 25 Years, R/o. Village Gidhouri, Chhandhipara, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through The District Magistrate Bilaspur,
District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Mr. N.K.Chatterjee, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.11.2016

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.159/2016 registered at Police Station- Ratanpur, District Bilaspur (C.G.) for the offence punishable under Sections 394 & 341/34 of Indian Penal Code.
2. As per the prosecution case, on 24.06.2016 the complainant Vaibhav Masih along-with his friends went to Khutaghat, therein, the applicant along-with others have assaulted and looted three mobiles and also damaged the motorcycle of the complainant. Thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the applicants are only earning members of their families and they have not committed any offence. He further submits that some dispute arose in between the applicants and the complainant and as such this

report has been made and the applicants are in jail since 25.06.2016, therefore, they may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the memorandum statement of the accused. Considering the background of this case and the way the offence has been committed and further considering the degree of allegation and the fact that the applicants are in jail since 25.06.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge