

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7045 of 2016

1. Rupesh Kumar Sahu, S/o. Kaliram Sahu, aged about 45 years,
 2. Jeevan Sahu, S/o. Vishram Sahu, aged about 45 years,
 3. Naresh Dhruv, S/o. Awadhram Dhruv, aged about 41 years
 4. Bodhram Sahu, S/o. Late Alakhram Sahu, aged about 38 years
 5. Bodhan Soni, S/o. Bedram Soni, aged about 35 years,
- All are R/o. Village-Saloni, P.S.- Keregaon, District – Dhamtari (C.G.)

----Applicants

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Keregaon, District – Dhamtari (C.G.)

---- Respondent

AND

M.CR.C. No. 7080 of 2016

1. Smt. Hemlata Sahu, Wd/o. Parikshit Sahu, aged about 45 years,
 2. Smt. Rekhabai, W/o. Bisouha Dhruv, aged about 35 years,
 3. Smt. Rajla @ Premlata Netam, W/o. Deenu Thakur, aged about 30 years,
 4. Smt. Kusum Nirmalkar, W/o. Surendra Nirmalkar, aged about 39 years
- All are R/o. Village-Saloni, P.S.- Keregaon, District – Dhamtari (C.G.)

----Applicants

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Keregaon, District – Dhamtari (C.G.)

---- Respondent

For Applicants	: Mr. Awadh Tripathi, Advocate
For Respondent/State	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2016

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.25/2016,

registered at Police Station – Keregaon, District – Dhamtari (C.G.) for the offence punishable under Section 294, 456, 354, 506, 147, 149 of Indian Penal Code and Section 3 (2) (v) (A) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

2. Case of the prosecution, in brief, is that on 19.09.2016 a report was made by one Kunti Bai alleging that on 13.09.2016, the applicants entered into the house of the complainant with the allegation that they are selling the liquor, abused and assaulted her and also abused in the name of caste and tried to outrage the modesty of the complainant. Thereby the offence has been committed.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and there has been a report was made in the village meeting and the resolution was passed to stop the illicit sale of liquor and since the complainant were selling the liquor as such the situation aggravated and prior to the report lodged by the complainant, a report was made by the applicants. It is further submitted that charge-sheet in this case has been filed and the applicants are in jail since 13.10.2016, therefore, the counsel prays that the applicants may be enlarged 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 statement of victim, Kunti Bai as also the case diary. Considering the facts and circumstances of the case, taking into the degree of allegation and the background of the case further taking into the fact that charge-sheet in this case has been filed and the

applicants are in jail since 13.10.2016, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular 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