

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7512 of 2016

1. Smt. Kosha Uike W/o Ramesh Uike Aged About 38 Years R/o Derapara, Birgaon, Police Station-Urla, District Raipur, Chhattisgarh.
2. Smt. Sunderi Jagat W/o Salikram Uike Aged About 30 Years R/o Derapara, Birgaon, Police Station -Urla, District Raipur, Chhattisgarh.

---- Petitioners

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai District Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. D.N. Prajapati, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28-11-2016

1. This is 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 on 8-10-2016 in connection with Crime No. 427 of 2016, registered at Police Station Khamtarai, District Raipur (CG) for the offence punishable under Sections 186, 332, 353, 34 of the IPC.
2. Case of the prosecution, in brief, is that on 7-10-2016 Police Constables namely Narendra Singh and Chandra Prakash Lahre received information that the applicants were carrying illicit liquor in Scooty bearing registration No. CG L.E -8265 and when they reached at Derapara for searching illegal liquor, the applicants obstructed and assaulted them and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in this case, Police constables forcibly entered inside the house of the applicants, therefore, they resisted them and false allegations have been attributed to the present applicants. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 8-10-2016 and no further investigation is required, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statements of the complainants.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the fact that charge-sheet in this case has been filed and the applicants are in jail since 8-10-2016, I am inclined to release the applicants on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

