

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 6283 of 2017**

1. Manav Dewar S/o Avtar Dewar, aged about 19 years, R/o Bajrang Para, Station Maroda, P.O. Newai, Bhilai, District Durg Chhattisgarh
2. Deewana Telasi S/o Ratan Telasi, aged about 20 years, R/o Bajrang Para, Station Maroda, P.O. Newai, Bhilai, District Durg, Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh through Police Station Newai, District Durg
Chhattisgarh

---- Respondent

For Applicants	:	Ms. Sunita Jain, Advocate
For Respondent/State	:	Smt. M. Asha, P.L. for the State
For Complainant/Objector:	:	Shri Avinash Chand Sahu, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28/11/2017**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who have been arrested in connection with Crime No. 189/2017 registered at Police Station Newai, District Durg (CG) for the offence punishable under Sections 147, 148, 294, 506, 323, 427 & 326 of IPC. The applicants are in jail since 21.09.2017.

2. The allegation against the present applicants is that they assaulted complainant Shatrughan on 23.08.2017 as a result of which the complainant received injuries.
3. Counsel for the applicant submits that it is a case where complainant Shatrughan was in fact charged for the offence under Section 354 of IPC for outraging the modesty of the sister of applicant no.1 for which a report has already been lodged vide Crime No. 191/2017 at Police Station Newai,

District Durg. Subsequently, the complainant filed a counter case and there is also a complaint lodged by the present applicants against complainant Shatrughan for the same offence reported in the same police station on the same day. In the given facts, counsel for the applicants prays for grant of bail to the applicants.

4. State counsel, however, opposes the bail application.

5. Considering the total facts and circumstances of the case particularly the nature of dispute between the parties and the reason for the dispute to arise and also taking into consideration the period of custody undergone by them, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicants will 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 before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
JUDGE**