

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7077 of 2017

1. Chandrbhushan Singh Rajput S/o Ramkhilawan, Aged About 42 Years R/o Ward No. 14, R/o Village Kusumkunda, P. S. Lormi, Tehsil - Lormi, Civil District Mungeli And Revenue District Mungeli Chhattisgarh
2. Govind Singh Rajput, S/o Bhagwan Singh Aged About 45 Years R/o Ward No. 13, R/o Village Kusumkunda, P. S. Lormi, Tehsil - Lormi, Civil District Mungeli And Revenue District Mungeli Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Station House Officer Of Police Station Lormi, Civil District And Revenue District Mungeli Chhattisgarh

---- Respondent

For Applicant	:	Shri Pallav Mishra, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2017

Heard.

1. The applicants have been arrested in connection with Crime No.228 of 2017 registered at Police Station- Lormi, Mungeli (C.G.) for alleged commission of offence under Sections 294, 341 IPC and Sections 3 (1) (x) (घ) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that the applicants abused and used filthy language with intention to insult the victim belonging to reserved category in a public place.
3. Learned counsel for the applicants would submit that a false case has been registered against them by the victim and the applicants have not used any filthy or abusive language with intention to insult the victim for the reasons

that he belongs to reserved category. He would further submit that the applicants are in jail since 15.9.2017, investigation is complete and charge sheet has been filed and that the applicants are not likely to abscond, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State, opposing the bail application, submits that in view of the statement of the victim, prima facie case is made out that the applicants used abusive language with intention to insult the victim because he belongs to reserved category.
5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the nature of allegation, consideration that the investigation is complete, charge sheet has been filed and that the applicants are not likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. 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/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge