

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 814 of 2017

1. Devraj Gond S/o Ali Ram, Aged About 42 Years
2. Devraj S/o Katru Ram, Aged About 35 Years
3. Santu, S/o Bhardul, Aged About 19 Years,
4. Shiva, S/o Ali Ram, Aged About 34 Years,

All R/o Village Kailashpur, Police Chauki Wadrafnagar Police
Station Basantpur, District Balrampur Ramanujganj Chhattisgarh
[Police Station Wrongly Mentioned In Impugned Order]

---- Applicants

Versus

State Of Chhattisgarh Through Police Chauki Wadrafnagar, Police
Station Basantpur, District Balrampur Ramanujganj Chhattisgarh
{ Note Police Station Wrongly Mentioned In Impugned Order }

---- Respondent

For applicants - Shri A.K. Yadav, Advocate.
For Respondent/State – Shri Wasim Miyan, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/02/2017

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 93/2016 registered in Police Chauki Wadrafnagar Police Station Basantpur, District Balrampur-Ramanujganj (C.G.) for offence punishable under section 147, 294, 506, 323, 307 of IPC.
2. Case of the prosecution, in brief, is that on 23/07/2016 a report was lodged by Sumant Patel that the applicant along with other co-accused persons were ploughing the harvest sown by the complainant. Consequently, dispute started and the applicant along with other family members Devraj and Shiva assaulted Sumant Patel and Roptara was also assaulted by spade on her head and the other complainant and family members also sustained injuries. The injuries caused to the

Rooptara was enough to cause death. Thereby the offence has been committed.

3. Learned counsel for the applicants submits that the dispute occurred over taking over the possession of the field. It is submitted that the applicants were in their field wherein complainant party came and objected. It is further submitted that on the counter report made by the applicants case have been registered against other persons with complainant. It is further submitted that charge sheet has been filed, the applicants are in jail since 6/09/2016, therefore the applicants may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Further taking into query report and the fact that charge sheet has been filed, applicants are in jail since 6/09/2016, also considering the background of the case in which it happened, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE