

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 837 of 2017

1. Brijkumar Yadav S/o Jogi Ram, Aged About 65 Years,
2. Manoharlal Yadav, S/o Brijkumar Yadav, Aged About 32 Years,
3. Rajendraprasad Yadav, S/o Brijkumar Yadav, Aged About 28 Years,
4. Sanjay Yadav Alias Krishna Kumar, S/o Kantaprasad, Aged About 23 Years, All R/o Village Bedmi, Ledua, Police Station Ramkola, District Surajpur Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Police Station Ramkola, Civil & Revenue District Surajpur Chhattisgarh

---- Respondent

For applicants - Shri D.N. Prajapati, Advocate.
For Respondent/State –Shri Dilman Rati Minj, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

27/02/2017

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.27/16 registered in Police Station Ramkola, District Surajpur (C.G.) for offence punishable under sections 147, 148, 149, 294, 506, 323, 307 of Indian Penal Code.
2. As per the prosecution case, on 12/07/2016 complainants Tapesh Kumar and his son Deepnarayan and present applicants and other co-accused persons entered into a dispute over taking possession of the land which aggravated to assault. Consequently, the applicants along with other co-accused persons has assaulted the complainants which were enough to cause death.
3. Learned counsel for the applicants submits that allegation of grievous assault has been attributed to one Kantaprasad and only general

allegations have been attributed to the present applicants and only allegation of assault by club is on Sanjay Yadav, charge sheet has been filed, no further investigation is necessary. He submits that similarly placed co-accused Kamaldev has been enlarged on bail on 30/11/2016 vide M.Cr.C. No.7368 of 2016, therefore the applicants may be released on bail.

4. Learned State counsel is not able to dispute the fact that similarly placed co-accused Kamaldev has been enlarged on bail on 30/11/2016 vide M.Cr.C. No.7368 of 2016.

5. Considering the facts and circumstances of the case and also for the fact that similarly placed co-accused Kamaldev has been enlarged on bail on 30/11/2016 vide M.Cr.C. No.7368 of 2016, 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