

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 921 of 2017**

1. Tapes, S/o. Shiv Kumar, Aged About 35 Years.
2. Naresh, S/o. Jogi Ram, Aged About 50 Years.
3. Lalla, S/o. Kaushal, Aged About 20 Years.

All are Caste- Ahir, R/o. Village Bedami, Police Station Ramkola,  
Tahsil Pratappur, District Surajpur, Chhattisgarh

**---- Applicants**

**Versus**

State Of Chhattisgarh, Through The Station House Officer, Police  
Station Ramkola, District Surajpur, Chhattisgarh.

**---- Respondent**

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For Applicants : Mr. V.K.Pandey, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**03/03/2017**

1. This is the 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 in connection with Crime No.26/2016 registered at Police Station- Ramkola, District Surajpur (C.G.) for the 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 one Kamta Prasad has lodged a report that the present applicants and other co-accused entered into a dispute for taking over the possession of the land and the altercation when aggravated, the applicants assaulted and caused injuries to Kamta Prasad, Kamal Bhan, Kamal Dev & Krishna Kumar, which were enough to cause death.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated, the dispute arose for taking over the possession of the land and all the injuries were simple in nature. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the injuries reported to be to the complainant and other persons were simple in nature.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature and background of the case and the way the incident happened and further considering the fact that the charge sheet has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-  
**(Goutam Bhaduri)**  
Judge