

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1061 of 2017

1. Gondal Say, S/o. Late Heera Say, Aged About 45 Years.
2. Jagesar Minj, S/o. Purla Minj, Aged About 40 Years.
3. Adhar Say, S/o. Late Sahdev Minj, Aged About 50 Years.

All are R/o. Village Bada Damali, Paikjam, Police Station Darima,
District Surguja, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through Police Station Darima, District
Surguja, Chhattisgarh.

---- Respondent

For Applicants : Mr. Vineet Kumar Pandey, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/03/2017

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.05/2017 registered at Police Station- Darima, District Surguja (C.G.) for the offence punishable under Sections 429, 34 of Indian Penal Code and Section 135, 137 of Electricity Act, 2003.
2. As per the prosecution case, a report was made by Bisla Yadav on 09.01.2017 and on the basis of the written report, FIR was lodged on 10.01.2017 that one Cow came in contact with the live wire which was laid by the present applicants.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and there is no evidence that the applicants have laid the live wires. He further submits that

no further investigation is necessary and the applicants are in jail since 20.01.2017, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the evidence collected in this regard and further taking into the nature of evidence, 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