

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1504 of 2017**

1. Laxman Prasad Patel S/o Anand Ram Patel Aged About 60 Years
Caste Patel, R/o Village Parsapali, Police Station Saragaon, District
Janjgir- Champa, Chhattisgarh.
2. Smt. Ramkumari Patel W/o Tikaram Patel Aged About 42 Years
Caste Patel, R/o Village Parsapali, Police Station Saragaon, District
Janjgir- Champa, Chhattisgarh.
3. Santosh Kumar Patel S/o Laxman Prasad Patel Aged About 32 Years
Caste Patel, R/o Village Parsapali, Police Station Saragaon, District
Janjgir- Champa, Chhattisgarh.
4. Amrit Lal Patel S/o Laxman Prasad Patel Aged About 28 Years Caste
Patel, R/o Village Parsapali, Police Station Saragaon, District Janjgir-
Champa, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through the Station House Office, Police Station
Saragaon, District Janjgir- Champa, Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Vivek Singhal, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****21.03.2017**

1. This is first bail application filed under Section 439 of the
Code of Criminal Procedure seeking grant of regular bail to
the applicants in connection with Crime No. 122 of 2016
registered at P.S. Saragaon Distt. Janjgir Champa (C.G) for
the offence punishable under Sections 294, 506, 323/34,
325, 307 of IPC.
2. As per the prosecution case, a report was made by one
Bhishma Suryawanshi that over a land dispute, the
applicants attacked his family members and his father was
assaulted by way of club whereby he sustained fracture of
the right temporal bone and right ulna bone which were

sufficient to cause death and his father was admitted to hospital for 16 days.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated; over a trivial issue, the altercation started in which both the parties have attacked each other and the applicants also sustained injuries in the said incident and there was no intention to kill. He further submits that the charge sheet has been filed and the applicants are in jail since 01.02.2017/02.02.2017, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of Bhishma Suryawanshi and injured Mohar Sai wherein the allegation of assault by club has been made against the applicants 3 & 4 Santosh Kumar Patel and Amrit Lal Patel, therefore, I am not inclined to release these applicants on bail. In respect of applicants Laxman Prasad Patel and Smt. Ramkumari Patel the allegation of assault by hands and fists has been made, therefore, I am inclined to release applicants 1 & 2 on bail.
6. Accordingly the bail application of applicants 1 & 2 Laxman Prasad Patel and Smt. Ramkumari Patel is allowed and they are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**