

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1920 of 2017

1. Nagendra Pal @ Raju Pal, S/o. Nirmal Pal, Aged About 36 Years,
2. Bhupendra Pal @ Golu, S/o. Dhanesh Pal, Aged About 22 Years,
3. Dharmendra @ Gabbu Pal, S/o. Nirmal Pal, Aged About 31 Years.

All R/o. Village Keratarai, Police Station -Chhuikhadan, District Rajnandgaon, Chhattisgarh.

----Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station :
Khairagarh, District : Rajnandgaon, Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 1975 of 2017

Devi Singh, S/o. Samrat Singh (Markam), Aged About 22 Years, Caste- Gond,
R/o. Khamhariya, Police Station : Rengakhar, District : Kabirdham,
Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station
Khairagarh, District : Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Abhisek Sharma, Advocate
For Respondent/State	:	Mr. B. Gopa Kumar, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/06/2017

1. These are the first bail applications filed under Section 439 of the Code
of Criminal Procedure, 1973 for grant of regular bail to the applicants

who have been arrested in connection with Crime No.44/2017, registered at Police Station – Khairagarh, District – Rajnandgaon (C.G.) for the offence punishable under Section 341, 147, 149, 294, 323, 506, 435, 395, 427, 201 of Indian Penal Code.

2. Case of the prosecution, in brief, is that a report was made by one Manoj Yadav that on 12.02.2017 while he was going to unload the Murum for construction of the road, the present applicants along with other stopped and they boarded on his vehicle and thereafter, the other people came in the motor cycle and stopped the vehicle on the accusation that the company for which the vehicle was employed has caused the accident. Subsequently, at the same time another vehicle which was coming from the opposite side was also stopped and was set on fire. Thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the incident was not predetermined and out of an accident, the villagers have objected and stopped the vehicle and the incident happened. It is further submitted that the applicants have been falsely implicated in this case, charge-sheet in this case has been filed and the applicants are in jail since 18.02.2017, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the case diary and the documents. Charge-sheet in this case has been filed and the incident appears to have been happened after an accident took place. Considering the facts and circumstances of the case and further considering the fact that charge-sheet in this case has

been filed and the applicants are in jail since 18.02.2017 and no further investigation is necessary, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge