

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2585 of 2017

1. Anand Ram Banjare, aged about 52 years s/o. Sudharam Banjare, by occupation agriculturist.
2. Shobharam aged about 28 years, s/o.; Anandram Banjare by occupation agriculturist.

Both r/o. Village Dogridhi, Thana and Tahsil Malkharoda, District Janjgir Champa.

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, Janjgir, District Janjgir-Champa

---- Respondent

For Applicants : Mr. Parag Kotecha, Advocate

For Respondent/State : Mr. Shashank Thakur, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-06-2017

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 on 8-3-2017 in connection with Crime No. 39 of 2017, registered at Police Station Malkharoda, District Janjgir-Champa (CG) for the offence punishable under Sections 341, 186, 353, 332, 394, 506/34 of IPC.
2. As per prosecution case, on 8-3-2017 both applicants have obstructed Sub-Constable and Constable when they went to serve the arrest warrant to son of the applicant No.1 and appellants also abused and assaulted them while they were performing their duties and thereby the aforesaid offence has been committed.
3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case and no offence has

been committed by the applicants. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 8-3-2017 and no further investigation is required, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case and further considering the degree of allegations and also the fact that charge-sheet has been filed and the applicants are in jail since 8-3-2017, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge

Raju