

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5991 of 2017

1. Umashankar Kashyap S/o Ramnath Kashyap, Aged About 28 Years R/o Village Reevapar, Police Station Urga, Civil And Revenue District Korba Chhattisgarh.
2. Smt. Vimla Kashyap, W/o Ramnath Kashyap, Aged About 40 Years R/o Village Reevapar, Police Station Urga, Civil And Revenue District Korba Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Ajak, Korba Civil And Revenue District Korba Chhattisgarh.

---- Respondent

 For Applicants : Shri Punit Ruparel, Advocate
 For Respondent/State : Shri Anil Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

24.11.2017

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.26/2017, registered at Police Station Ajak, District Korba(CG) for the offence punishable under Sections 295, 294, 506, 34 of the IPC and Section 3 (1)(ॢ), 3(1)(ॣ), 3(1)(।) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989.
3. As per the case of prosecution, the complainant party is a member of Scheduled Caste and they have occupied certain

lands but the applicants dispossessed them and thrown the flag hoisted in the said land.

4. Learned counsel for the applicants submits that it is a case of land dispute and civil nature but the same is coloured as criminal case. He submits that the challan has been filed and the applicants are arrested on 20.08.2017 and the trial may take some time, therefore, they may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case and taking into consideration the fact that there is dispute regarding land and the applicants are in jail since 20.8.2017, I am inclined to release the applicants on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.20,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE