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HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1466 of 2017**

1. Ranu Kashyap S/o Shri Ramakant Kashyap, Aged About 26 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.
2. Pradeep Kashyap S/o Shri Kapeel Ram Aged About 35 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.
3. Tulsi Ram Kashyap S/o Shivsahay Kashyap Aged About 60 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.
4. Ram Gopal Kashyap, S/o Shri Kapeel Ram Aged About 28 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.
5. Munna @ Shiv Kumar, S/o Shri Hagru Bareth, Aged About 50 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.
6. Rajkumar Kashyap, S/o Shri Madanlal, Aged About 40 Years R/o Village Lalpur, Police Station Lormi, District Mungeli Chhattisgarh.

---- Petitioners**Versus**

State Of Chhattisgarh Through Police Station Lormi, District Mungeli Chhattisgarh.

---- Respondent

For the Petitioner	: Shri Basant Dewangan, Advocate.
For the Respondent/State	: Shri O.P. Sahu, GA for the State.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****25.10.2017**

Heard.

1. It is submitted that applicants had earlier moved MCRC.(A) No.855/2017, which was disposed of by the Coordinate Bench of this Court on 09.10.2017 giving direction to the applicants to surrender

before the concerned Judicial Magistrate having jurisdiction and pray for bail under the provisions 437 of Cr.P.C. It is submitted by learned counsel for the petitioners, that Crime No.226/17 has been registered against the petitioner in connection with the offence punishable under Sections 147, 294, 342 & 506 IPC and Section 3 (1) (m) & 3 (1) (s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989, therefore, the matter shall be heard by the Special Sessions Judge. Hence, it is prayed that the order dated 09.10.2017 may be modified to the extent allowing the applicants to file bail application under Section 439 of Cr.P.C.

2. Learned counsel for the State has no objection.
3. I have heard the learned counsel for the parties and perused all the documents placed on record.
4. Considering the submissions made by the parties, this petition is allowed at the motion stage itself. The order dated 09.10.2017 passed in MCRC.(A) No.855/2017 is modified to the extent that applicants shall be at liberty to surrender before the concerned Court having jurisdiction and to file application under Section 439 of Cr.P.C, which will be disposed off by the said Court expeditiously, preferably on the same day.
5. The petition is, accordingly disposed off.

Sd /-

(Rajendra Chandra Singh Samant)

Judge