

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7120 of 2017

1. Ramkumar, S/o. Jeevan Kashyap, Aged About 34 Years.
2. Munna @ Shivkumar, S/o. Hagru, Aged About 50 Years.
3. Ramgopal, S/o. Kapilram Kashyap, Aged About 28 Years.
4. Pradeep Kashyap, S/o. Kapilram Kashyap, Aged About 30 Years.
5. Ranu Kashyap, S/o. Ramakant, Aged About 28 Years.
6. Tulsiram, S/o. Shivsahay Kashyap, Aged About 60 Years.
7. Rajkumar, S/o. Madanlal Kashyap, Aged About 40 Years.

All are R/o. Village Lalpur Kala, Police Station Lormi, District Mungeli, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Lalpur, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants : Mr. Basant Dewangan, Advocate

For Respondent : Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.12.2017

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 in connection with Crime No.226/2017 registered at Police Station- Lalpur, District Mungeli (C.G.) for the offence punishable under Section 147, 294, 324, 506 of Indian Penal Code and Section 3(i)(d), 3(i) (a) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, on 23.03.2017 during Panchayat meeting at Lalpur Kala, the applicants alongwith other co-accused obstructed the meeting and abused Upsarpanch & Panchayat with filthy language and also by caste; thereby the offence has been committed.

3. Learned counsel for the applicants submits that earlier one of the co-accused has been enlarged on bail by the co-ordinate Bench of this Court in MCRC No.5433 of 2017 on 25.09.2017 and the case of the present applicants is similar to that case, therefore, the present applicants may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the other similarly placed co-accused has been enlarged on bail.
5. Considering the facts & circumstances of the case and the fact that the other similarly placed co-accused has already been enlarged on bail by the co-ordinate Bench of this Court, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge