

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1356 of 2016

1. Jethuram Dhritlahre S/o Late Phulchand Dhritlahre, Aged About 65 Years R/o Village Pirda Police Station Vidhansabha Tahsil & District Raipur, Chhattisgarh.
2. Smt. Rajim Bai Dhritlahre W/o Jethuram Dhritlahre, Aged About 60 Years, R/o Village Pirda Police Station Vidhansabha Tahsil & District Raipur, Chhattisgarh.
3. Smt. Padmani Tandon W/o Late Loknath Tandon, Aged About 34 Years, R/o Village Pirda Police Station Vidhansabha Tahsil & District Raipur, Chhattisgarh.
4. Kranti Dhritlahre D/o Jethuram Dhritlahre, Aged About 26 Years, R/o Village Pirda Police Station Vidhansabha Tahsil & District Raipur, Chhattisgarh.
5. Smt. Kanti Kosle W/o Shri Rajkumar Kosle, Aged About 32 Years, R/o Village Kanhera Police Station Urla, Tajsil & District Raipur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Vidhansabha Tahsil & District Raipur, Chhattisgarh.

---- Non-applicant

For Applicants – Shri Ashish Shrivastava and Shri Rakesh Dueby, Advocates.
For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board

06-07-2017

1. Heard the matter finally.
2. Learned counsel for the applicants would submit that the applicants are apprehending their arrest in connection with Crime No.225/16 registered at Police Station Vidhansabha, Raipur, C.G. for the offence punishable under Section 147, 148, 294, 506, 307 and 323 of the IPC. Charge sheet has not yet been filed. The investigation is going on. Learned counsel for the applicants would submit that the applicants are falsely implicated. There is no material against all the applicants. Applicant No.1 is aged about 65 years, applicant No.2 is aged about 60 years and the remaining three applicants are daughters who came to celebrate Teeja. They have no any active role for the

alleged offence. As per the facts, Panna Dhritlahre was keeping loud speaker sound system in a tree nearby the house of Panna Dhritlahre and Anand Ram Jangade; Anuj Jangade protested for the same and thereafter, between the parties there were discussions and alleged incident occurred. As the applicants have no role in the incident and earlier as the offence was registered which was bailable one, all the applicants were arrested by the police and released on bail by furnishing bond by the applicants; thereafter Section 307 of the IPC has been added. The applicants may be released on anticipatory bail.

3. Per contra learned counsel for the State/non-applicant opposed the arguments advanced on behalf of the applicants on the basis of named FIR against the applicants and other co-accused and also as Anuj Jangade received a fracture over the left side of temporal one.

4. Perused the entire material.

5. On due consideration, looking to the facts surfaced in the FIR and the MLC report of Anuj Jangade, I am not inclined to grant anticipatory bail to the applicants.

6. As submitted on behalf of the applicants, if the applicants surrender before the concerned Court as per provisions of law and file any application for their release on bail under the provisions of Cr.P.C. after completion of entire formalities as required, the said petition of bail be disposed of as early as possible preferably same day.

7. Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE