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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 380 of 2018**

1. Gulam Rasul S/o Sheikh Mohammad, Aged About 65 Years R/o Village Anirudhpur, P S Ramchandrapur, District Balrampur- Ramanujganj Chhattisgarh, Chhattisgarh
2. Zalil, S/o Gulam Rasul, Aged About 50 Years R/o Village Amirudhpur, P S Ramchandrapur, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
3. Sakil Ahmed, S/o Gulam Rasul, Aged About 25 Years R/o Village Amirudhpur, P S Ramchandrapur, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
4. Tahir Ahmed, S/o Kyamudin, Aged About 40 Years R/o Village Amirudhpur, P S Ramchandrapur, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh
5. Akbar Ali, S/o Lt. Taz Mohammad, Aged About 60 Years R/o Village Amirudhpur, P S Ramchandrapur, District Balrampur- Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through The Police Station Ramchandrapur,
District Balrampur Ramanujganj Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicants : Ms. Neha Verma, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.04.2018**

Heard.

2. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.50 of 2017, registered at Police Station – Ramchandrapur, District – Balrampur, Ramanujganj, Chhattisgarh

for the offence punishable under Sections 294, 506, 323, 147, 148, 465, 458 and 325 of the Indian Penal Code.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicants be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. According to the prosecution case, one Mairoon Nisha, wife of applicant No.1 had expired due to illness. At that time, the applicants started demanding from the mother of complainant – Khalid Razza to bring her back alive and thereafter, they threatened and abused her. When the mother of the complainant bolted herself inside the house, the applicants forced their entry inside the house through the roof and again by calling her sorcerer, abused her, threatened her and assaulted her causing injuries to her and other persons. Simple injuries were caused to five persons. After lodging of FIR, the offences were registered against these applicants.

7. Considering the material present in the case-diary as the case is presently before the trial Court and the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some

time for its final disposal, I am of the considered view that in this case the applicants deserve to be enlarged on bail.

8. Accordingly, the bail application filed under Section 439 of the 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 the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge