

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7271 of 2017

1. Sonuram Korram S/o Sukman Korram, Aged About 35 Years, R/o Village Killam, P. S. Chhotedongar, District Kondagaon Chhattisgarh
2. Ramlal Yadav S/o Jhitaku Ram Yadav, Aged About 45 Years, R/o Village Killam, P. S. Chhotedongar, District Kondagaon Chhattisgarh
3. Bulkuram Korram S/o Laikhan Korram, Aged About 45 Years, R/o Village Killam, P. S. Chhotedongar, District Kondagaon Chhattisgarh
4. Fohduram Korram S/o Saituram Korram, Aged About 40 Years, R/o Village Killam, P. S. Chhotedongar, District Kondagaon Chhattisgarh

---- Applicants

Versus

1. State Of Chhattisgarh Through The Police Station Chhotedongar, District Narayanpur Chhattisgarh

---- Non-applicant

For Applicants – Shri Pravin Kumar Tulsyan, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02-01-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicants for regular bail. The applicants were arrested on 18-09-2016 in connection with Crime No.22/2016 registered at P.S. Chhotedongar, District Narayanpur, C.G. for the offence under Section 147, 148, 149, 506(B), 395 and 323 of the I.P.C. and under Section 25 of Arms Act.
2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. The statement of victim in this case clearly discloses that the applicants are residents of the same village who had gathered on the spot on being called by the so called Maoists. It

is submitted that although offence of dacoity has been registered against the applicants, but no seizure of any property has been made from them. The applicants are in jail since 18-09-2016. They are local residents and ready to abide by all the conditions imposed upon them by granting bail. Charge sheet has been filed. It is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that the applicants and others are associated with the banned Maoist group and have engaged in similar activities. The offences registered against the applicants are of grievous nature. Hence, it is prayed that the applicants are not entitled for grant of regular bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Case against the applicants is this, that some members of Maoist group came to village Killam situated at Revenue District Narayanpur within Judicial District Kondagaon searching for son of complainant Chenuram alleging that the son of the complainant Chenuram was working for police. On not finding the son of Chenuram, the Maoists and the persons who were present along with them threatened the complainant to leave the village, thrashed and injured victim Dulagi Yadav and then looted all the cash, grains, cattle etc. present in the house of the complainant. After lodging of the FIR, the applicants and others have been arrested.

6. Considered on the submissions made and contents of the case diary. It appears that the applicants are residents of same village, i.e., Village Killam, situated in Revenue District Narayanpur within Judicial

District Kondagaon. Also considering on the statement of victim Dulagi Yadav, this Court is of the considered view that no purpose would be served if the applicants are kept in detention till conclusion of the trial; condition can be imposed for their appearance before the trial Court.

7. Consequently, the application (MCRC No.7271/2017) filed under Section 439 of the Cr.P.C. by the applicants is hereby allowed. 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 each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge