

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No.2387 of 2018**

Dileep, s/o Ramkrit, aged about 45 years, R/o Village Karmdiha (B), Tahsil Wadrafnagar, P.S. Basantpur, Balrampur – Ramanujganj, Chhattisgarh (Village name not completely mentioned in impugned order)

---- Applicant

**versus**

State of Chhattisgarh through Police Station Basantpur, District Balrampur – Ramanujganj, Chhattisgarh

---- Respondent

**and****M.Cr.C. No.2839 of 2018**

Rajendra Kannoujiya, s/o Nanndlal Kannoujiya, aged about 26 years, R/o Village Karmdiha, Tahsil Wadrafnagar, P.S. Basantpur, Balrampur – Ramanujganj, Chhattisgarh (P.S. wrongly mentioned in impugned order)

---- Applicant

**versus**

State of Chhattisgarh through Police Station Basantpur, District Balrampur – Ramanujganj, Chhattisgarh (R/o and Tahsil wrongly mentioned in impugned order)

---- Respondent

|                |   |                                  |
|----------------|---|----------------------------------|
| For Applicants | : | Shri Akath Kumar Yadav, Advocate |
| For Respondent | : | Smt. M. Asha, Panel Lawyer       |

**Hon'ble Shri Justice Arvind Singh Chandel****Order on Board****4.5.2018**

- Both the bail applications arise out of a same crime number, therefore, they are decided together by this common order.
- These are the first bail applications 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.18 of 2018 registered at Police Station Basantpur, Police

District Balrampur for offence punishable under Sections 294, 506, 324, 342, 498A, 34 of the Indian Penal Code.

3. Case of the prosecution, in brief, is that on 11.2.2018, Complainant Basanti Rajak, sister of Lilawati lodged a report alleging that marriage of Lilawati was performed with Applicant Dileep 15 years prior to the date of incident. On 7.2.2018, Lilawati came to her house and told her that Applicant Dileep, Applicant Rajendra and one Gomtibai, alleging that she (Lilawati) had an illicit relationship with one Pappu Dhobi, beat her and ousted her from the house. On the basis of the said report, aforesaid offence has been registered and the Applicants have been arrested.
4. Learned Counsel appearing for the Applicants submits that the FIR has been lodged belatedly and the same was not lodged by victim Lilawati, but was lodged by her sister Basanti. The offence is triable by a Judicial Magistrate First Class. Applicant Dileep is in custody since 12.2.2018 and Applicant Rajendra is in custody since 9.4.2018. Trial will take a long time. Therefore, the Applicants may be released on bail.
5. Learned Counsel appearing for the Respondent/State opposes the bail applications.
6. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
7. Considering the facts and circumstances of the case, particularly that the offence is triable by a Judicial Magistrate First Class, Applicant Dileep is in custody since 12.2.2018 and Applicant Rajendra is in custody since 9.4.2018, trial is likely to take time,

without further commenting on merits of the case, I am inclined to release the Applicants on bail.

8. Accordingly, the bail applications are 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.10,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**JUDGE**