

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3802 of 2018**

- Hermon Kindo S/o Poulus Kindo, Aged About 64 Years, Caste Uraon, R/o Ranpur, P. S. Narayanpur, District- Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Narayanpur, District- Jashpur, Chhattisgarh.

---- Respondent

Misc. Criminal Case No.4068 of 2018

- Peter Xess S/o Patras Aged About 45 Years Caste Uraon, R/o Bachhraon, Police Station Narayanpur, District- Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Narayanpur, District- Jashpur, Chhattisgarh

---- Respondent

AND**Misc. Criminal Case No.4113 of 2018**

- Joseph Tigga S/o Somra Tigga, Aged About 70 Years R/o Village Ukaiekamba, P. S. Sanna, Tehsil Bagicha, District Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The S. H. O., P. S. Narayanpur, District Jashpur, Chhattisgarh.

---- Respondent

For Applicants : Shri Mahendra Dubey, Shri Manoj
Chouhan and Shri Ashish Beck, Advocates
For respondent/State: Shri Ashish Shukla, Dy. Advocate General.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board**

02.7.2018

1. By this common order, all the above mentioned bail applications are being heard and disposed of finally as they arise out of same crime number.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicants who have been arrested on 30.4.2018, 01.5.2018 & 30.4.2018 respectively in connection with Crime No.22/2018, registered at Police Station Narayanpur, Distt. Jashpur (CG) for the offence punishable under Sections 120-B, 153-B, 149, 505(1)(c) of the Indian Penal Code.

3. Case of the prosecution is that on 22.4.2018, the applicants along with other co-accused persons in Village bachraon, Police Narayanapur in order to spread hatred among tribal people against non-tribal people held meeting and gave them wrong impression about the law of the land and also scripted the same on one stone. Further case of the prosecution is that by holding the meeting the applicants along with other persons gave people wrong impression about law and order.

4. Learned counsel for the applicants submit that the applicants are innocent, they never participated in any such activity and will not participate in future also, if released on bail. It is further submitted that the applicants are in jail since 30.4.2018, they are ready to abide by all the terms and conditions imposed by this court.

5. On the other hand, learned counsel for the State opposes the bail applications and submits that the applicants have spread hatred

among the tribal and non-tribal, they have created law and order situation, hence, they may not be released on bail.

6. I have heard learned counsel for the parties and perused the case diary.

7. Looking to the fact that the offence charged under Section 153-B and 505(1)(c) are punishable with imprisonment of three years and further looking to the fact that the applicants are in custody since 30.4.2018, without further commenting on the merits of the case, I am inclined to allow above bail applications.

8. Accordingly, applications filed under Section 439 of the CrPC are allowed on the following terms and conditions:-

(i) The applicants will not participate in any public meeting causing hatred among the people of locality.

(ii) The applicants will co-operate with the authorities for maintaining peace in the area concerned.

(iii) The applicants will furnish a persons bond in the sum of Rs.25,000/- each with one local surety in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

(iv) If any of the above conditions is flouted, bail granted to the applicants by this Court shall automatically cancelled.

Sd/-
(Ram Prasanna Sharma)
JUDGE