

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4334 of 2018

1. Rajveer Singh Bhatia alias Lucky S/o Satveer Singh Bhatia, aged about 28 years
 2. Ranveer Singh Bhatia alias Raja son of Ravindra Singh Bhatia, aged about 19 years
- Both residents of Kotra Road, Soniya Nagar, Raigarh, District Raigarh, CG
3. Rohit Sharma son of Sunil Sharma, aged about 28 years, R/o Kotra Road, Chuna Bhattha, Raigarh, Tahsil and District Raigarh, CG

---- Applicants

Versus

1. State of Chhattisgarh through SHO Police Station City Kotwali, Raigarh, District Raigarh, CG

---- Respondent

For Applicants	-	Shri Ashish Gupta, Advocate
For State	-	Shri Ravindra Agrawal, PL

Order on Board by Hon'ble Shri Justice Pritinker Diwaker

03/07/2018

This application under Section 439 of the Code of Criminal Procedure has been filed by the applicants who are in custody in connection with Crime No. 74/2018 registered at Police Station City Kotwali, District Raigarh for commission of the offences punishable under Sections 294, 354-B, 323, 458, 34 IPC and Sections 3 (1) (D), 3 (2) (5) A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

2. Case of the prosecution in short is that the applicants had entered the house of complainant Rakesh Gond and assaulted his family members with hockey sticks, rod and club.

3. Counsel for the applicants submits that the unfortunate incident took place when the complainant objected to applicant Rajveer Singh Bhatia from making his dog ease in front of his house. He submits that even if the entire case of the prosecution is taken as it is, offence under the Special Act is not made out against the applicants. He further submits that as the trial is likely to take some time for conclusion and the applicants are already in jail since 4.6.2018, they may be released on bail.

3. State counsel however opposes the application for bail.

4. Considering the facts and circumstances of the case, the fact that the applicants are in jail since 4.6.2018, this Court is of the opinion that it is a fit case to release them on bail. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them furnishing a bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court for their appearance before that Court as and when directed.

Sd/-

(Pritinker Diwaker)

Judge