

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4797 of 2018

- Devendra Kumar Sahu S/o Parmeshwar Sahu, Aged About 19 Years, R/o Village Devrhat, P.S. Lalpur, District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Mungeli, District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh

---- Non-applicant

MCRC No. 4805 of 2018

- Balram Sahu S/o Hardayal Sahu, Aged About 38 Years, R/o Village Devrhat, P.S. Lalpur, District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Mungeli, District Mungeli, Chhattisgarh, District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicants – Shri Suresh Kumar Verma, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

31-07-2018

1. As these two applications arise out of the same crime number, i.e., Crime No.78/2018 registered at P.S. Lalpur, District Mungeli, Chhattisgarh for the offence under Section 186, 353, 427/34 of the IPC, they are being decided by this common order.

2. These are first bail applications filed before this Court by the applicants under Section 439 of the Cr.P.C. for grant of regular bail. Applicant Devendra Kumar Sahu (applicant in MCRC No.4797/2018) has been arrested on 11-05-2018 and applicant Balram Sahu (applicant in MCRC No.4805/2018) has been arrested on 04-06-2018 in connection with aforesaid crime number and offence.

3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. Applicant Devendra Kumar Sahu is in jail since 11-05-2018 and applicant Balram Sahu is in jail since 04-06-2018. No case is made out against them. Charge sheet has been filed and the case is pending before the Court of JMFC. Hence, it is prayed that the applicants may be granted regular bail.
4. Learned counsel for the State/non-applicant opposes the applications.
5. Heard learned counsel for the parties and perused the case diary.
6. Allegation against the applicants is this, that complainant Sanjay Kumar Rathore, Nayab Tahsildar was acting in compliance of the order of the High Court by removing encroachment of father of applicant Devendra Kumar Sahu (applicant in MCRC No.4797/2018), because of which the applicants pelted bricks and made assault with club on the car of the complainant and attempt was also made to stop the complainant on his way illegally. Hence, this case.
7. Considering on the material present in the case diary and also taking into consideration the fact that the case is now before the trial Court and no purpose would be served if the applicants are kept in detention till the whole period of trial, I feel inclined to grant regular bail to these applicants.
8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are 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 in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge