

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5402 of 2018**

1. Malikram S/o Jugutram Aged About 30 Years,
2. Harishankar S/o Jugutram Aged About 36 Years,
3. Panchram S/o Jugutram Aged About 39 Years,

All are by Caste Patel, R/o Village Kaneti, Police Station, Tahsil Sakti, District Janjgir Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The District Magistrate Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri V.C. Ottalwar and Shri Ishwar Jaiswal, Advocates
For the State	:	Shri Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**24/08/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 238/2018 registered at Police Station Sakti District Janjgir-Champa (C.G.) for the offence punishable under Sections 302, 294, 323 and 506 of IPC.
3. Case of the prosecution, in brief is that on 23/04/2018 in the evening at village Kaneti, when complainant Lilaram was returning back after giving the reply of the nature's call, applicants had beaten him with the iron rod, abused him and given the threatening to kill. When his

mother Jamuna Bai intervened, applicants also beaten complainant Jamuna Bai. Due to the injuries complainant Jamuna Bai succumbed on 11/05/2018.

4. Counsel for the applicants argued that applicants have also lodged the report against the complainant of this case, applicants Malikram and Harishankar have also received injuries. Jamuna Bai died after 19 days.
5. On the other hand, learned counsel for the State opposes the bail application and no antecedent against the applicants.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicants.

Sd/-
(Sharad Kumar Gupta)
Judge