

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.5610 of 2018**

1. Milian Minj S/o Nikolas Minj Aged About 28 Years Caste- Uraon, R/o- Village Bachhraon, Thana- Narayanpur, District- Jashpur, Chhattisgarh.
2. Daud Kujur S/o Late Samvel Kujur Aged About 65 Years Caste- Uraon, R/o- Village Bachhraon, Thana- Narayanpur, District- Jashpur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S.- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondent

For Applicants	: Shri Manoj Chouhan, Advocate
For respondent/State	: Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****21.8.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicants who have been arrested on 23.6.2018 in connection with Crime No.22/2018, registered at Police Station Narayanpur Distt. Jashpur (CG) for the offence punishable under Sections 149, 153(B), 505(1)(c), 120B, 109, 117 of the Indian Penal Code.

2. 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.

3. 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 23.6.2018, they are ready to abide by all the terms and conditions imposed by this court.

4. On the other hand, learned counsel for the State opposes the bail application 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.

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

6. 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 23.6.2018, without further commenting on the merits of the case, I am inclined to allow above bail application.

7. Accordingly, application filed under Section 439 of the CrPC is 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