

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5905 of 2018

- Kali Ram @ Kala Ram Dahariya S/o Vishwanath Dahariya, Aged About 27 Years, Caste- Satnami, R/o- Village Keshtarpur, P.S. Lalpur, Tahsil Lormi, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Lalpur, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

----Non-applicant

For Applicant – Shri Rajeev Kumar Dubey, Advocate.

For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-09-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 22-06-2018 in connection with Crime No.92/2018 registered at P.S. - Lalpur, District Mungeli, Chhattisgarh for the offence under Section 147, 148, 149, 354, 452, 427 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 22-06-2018. No case is made out against him. Similarly placed co-accused Jai Kumar Khunte has been granted regular bail by this Court in MCRC No.5141 of 2018 vide order dated 08-08-2018. Hence, it is prayed that the applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On the date of incident, because of some dispute it is alleged that this applicant by forming unlawful assembly committed house-trespass in the house of complainant Prakash Yadav and assaulted the inmates of the house

with clubs and sharp edged weapons causing simple injuries to about 9 persons and one woman came to intervene whose modesty was also outraged by the members of the unlawful assembly. Hence, this case.

6. After considering on the entire material present in the case diary and considering this fact that similarly placed one co-accused has been granted regular bail by this Court, I am of this opinion that this applicant should also be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his 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 his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge