

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6091 of 2018**

1. Mohd. Mohsenul Haque Ansari S/o Shri Mohd. Gori Aged About 30 Years,

2. Mohd. Parvej S/o Shri Mohd. Gori Aged About 23 Years

both are by Caste- Momin, R/o- Village- Khorma, Thana And Tahsil- Pratappur, Civil And Revenue District- Surajpur, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh Through- The Station House Officer, Police Station- Pratappur, Civil And Revenue District- Surajpur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Sumit Shrivastava, Advocate
For the State	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/09/2018**

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 counsel for the State in connection with the Crime No. 97/2018 registered at Police Station Pratappur, District Surajpur (C.G.) for the offence punishable under Sections 186, 294, 506-B, 353, 332, 452/34 of IPC.
3. Case of the prosecution, in brief is that the complainant Balchand Rajwade is the Patwari. On 25/06/2018 near about 4.30 p.m. applicants entered in the office of the complainant and made the undue influence upon him to correct record. During the conversation applicants abused the complainant, given him threatening to kill and beaten him, torn the revenue records.
4. Learned counsel for the applicants submits that applicants are innocent and falsely implicated in the present case, therefore, they shall be

released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. She further submits that there is no antecedents of the applicants.
6. Looking to the above mentioned facts and circumstances of the case, looking to this fact that offences are triable by Judicial Magistrate First Class, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicants.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed. It is directed that if the applicants furnishes one solvent surety for a sum of Rs. 25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, they shall be released on bail.
8. Certified copy as per rules.

Sd/--
(Sharad Kumar Gupta)
Judge

Kamde