

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6423 of 2018**

1. Ram Singh S/o Rohani Singh Manjhi Aged About 28 Years R/o- Village Gurda, P.S. And Tahsil Kharsiya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Jitendra Manjhi S/o Bhagat Ram Manjhi Aged About 25 Years R/o- Village Gurda, P.S. And Tahsil Kharsiya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants**Versus**

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

---- Respondent

For the Applicants : Shri F.S. Khare, Advocate.
For the Respondent/State : Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.10.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.292 of 2018, registered at Police Station – Kharsiya, District Raigarh, Chhattisgarh for the offence punishable under Section 429 of the Indian Penal Code and Section 135(1)(a) of the Electricity Act.

2. Learned counsel for the applicants submits that the applicants are in jail since 22.5.2018 and have been falsely implicated in this case. No case

is made out against the applicants on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. It is alleged that these applicants alongwith co-accused laid live electric wire in their field to protect the crops from wild animals in inadvertent manner because of which, some cattle came in contact with the live wire and died resulting in loss to the agriculturist, who owned those cattle. Hence, this case.

6. Considering the material present in the case-diary and no purpose would be served if the applicants are kept in detention for the whole period of trial, hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants in all the cases 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 trial Court, for their appearance as and when directed. In case any default is

committed by the applicant/s in appearing before the concerned trial Court,
this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi