

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7744 of 2018

1. Dilip Gavel S/o Dadulal Aged About 32 Years R/o Bundeli Police Station and Tahsil Maalkharoda, District Janjgir Champa Chhattisgarh.
2. Shanti Gavel S/o Tameshwar Aged About 23 Years R/o Village Bordi Police Station and Tahsil Kharsian District Raigarh Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh through District Magistrate Janjgir-Champa District Janjgir Champa Chhattisgarh.

----Non-applicant

For Applicant : Mr. Ishwar Jaiswal, Advocate
For Respondent/State : Mr. Garry Mukhopadhyay, GA

Hon'ble Smt. Justice Vimla Singh Kapoor

order On Board

29/10/2018

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of bail as they are in custody since 05.09.2018 in connection with Crime No.698/2018 registered at Police Station Sakti, District Janjgir Champa, for the offences punishable under Sections 294, 506, 320, & 327 / 34 IPC.
2. As per the prosecution case, that as the complainant did not meet out the demand of Rs. 200/- made by the applicants for liquor , they started abusing him filthily and also assaulted him by hands and fists.
3. Counsel for the applicant submits that the applicants have not committed any offence and have been falsely implicated in the case. He also submits that there is delay in lodging the FIR and being the sole bread earner in the family, he may released on bail.
4. On the other hand, State counsel opposes the bail application.

5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, the fact that the challan has been filed and that the offences alleged are triable by Magistrate, this Court is of the considered opinion that it is a fit case to release the applicants on bail.
7. Accordingly, the application is allowed and the accused/applicants are directed to be released on bail on their furnishing a personal bond of Rs. 10,000/- each with one surety for the like sum to the satisfaction of the concerned Court for their appearance before the said Court as and when directed.

CC as per rules.

Sd/-

(Vimla Singh Kapoor)
Judge