

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 659 of 2019**

Rikhu Ram Yadav S/o Let Khelavan Ram Yadav Aged About 24 Years
R/o- Jhajhpuri Kala Police Station And Tehsil Lorami And District
Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station Lorami, Mungeli, Civil And Revenue District- Mungeli,
Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Respondent

Along with**MCRC No. 801 of 2019**

1. Shatruhan Sahu S/o Gayaram Sahu Aged About 28 Years,
2. Bhanu Sahu S/o Swarath Sahu Aged About 23 Years,
3. Bhagwan Sahu S/o Swarath Sahu Aged About 28 Years,
4. Santosh Sahu S/o Shyamlal Sahu Aged About 32 Years (Wrongly
Written As Yadav In The Oder),
5. Mohan Sahu S/o Shyamlal Sahu Aged About 38 Years
6. Ramesh Sahu S/o Mohit Sahu Aged About 50 Years

All are R/o Village Jhajhpuri Kala, Police Station Lorami, District - Mungeli
Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Lorami, District -
Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Mirza Hafiz Beg, Adv. Appears on behalf of
		Shri R.K. Rajwade (MCRC No.659/19)
For the Applicant	:	Shri R.K. Jain, Adv. (MCRC No.801/19)
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/02/2019**

1. Above mentioned two applications arise out of a common Crime
No.541/2018 registered at Police Station Lormi, District Mungeli for the

offence punishable under Sections 147, 148, 294, 323, 153(a), 153(2), 435, 295, 336, 506, 34 of IPC and Section 3(1)(a), 3(1)(b), (c) & 3 (2) 5 of SC ST Prevention of Atrocities Act, therefore, they are being heard analogously and decided by this common order. Both the bail applications are the first bail application filed under Section 439 of CrPC.

2. Case of the prosecution, in brief is that on 21/12/2018 complainant Sajjan Kumar, who is member of Scheduled Caste, along with other members of Scheduled Caste celebrating Baba Guru Ghasidas Jayanti. They have established new Jai Stambh. Applicants are neither member of Scheduled Caste nor Scheduled Tribe abused the said complainant and members of his society on caste basis, pelted stones and beat them. They pulled down Jai Stambh.
3. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
4. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
5. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicants furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- each to the satisfaction of the trial Court concerned with the condition that they will not involve themselves in such type of crime in future, they shall be released on bail.
6. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge