

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 561 of 2019**

1. Bharat, S/o Ruplal Sahu, aged about 24 years, Occupation Agriculture.
2. Anju, W/o Bharat Sahu, aged about 22 years, Occupation Agriculture.
3. Kamin Bai, W/o Ruplal Sahu, aged about 50 years.

All are resident of Bareda, Police Station Rengakhar, Tahsil Bodla, District Kabirdham (CG).
---- Applicants

Versus

State of Chhattisgarh Through District Magistrate, Kawardha, District Kabirdham (CG).
---- Non-applicant

For Applicants	:	Mr. H.B. Agrawal, Sr. Advocate with Ms. Deepali Dubey, Advocate.
For Non-applicant	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.54/2018 registered at Police Station Rengakhar, District Kabirdham for the offence punishable under Sections 294, 506-B, 323, 326, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that the complainant Sadhu Ram Sahu is a resident of village Bareda. On 28.10.2018 at about 3:00 p.m., the applicant No.1-Bharat caused the injury on his head by adze. Applicants No.2 & 3 namely Anju & Kamin Bai respectively have also started to beat him. As per MLC report of the said complainant, one incised wound on over right high parietal bone was found. Injury was caused by hard and sharp object. As per CT Scan of the said complainant, depressed fracture was found in his right high parietal bone.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.

5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application is allowed. It is directed that if the applicants furnish two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- each to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not involve any such type of crime in future.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-