

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1944 of 2019**

1. Mohan Singh Kanwar S/o Anup Singh Kanwar Aged About 35 Years
2. Smt. Bimleshwari Kanwar W/o Mohban Singh Kanwar Aged About 30 Years,
3. Smt. Pramila Kanwar W/o Radhe Lal Kanwar Aged About 40 Years,
4. Smt. Koushilya Kanwar W/o Late Ghanshyam Kanwar Aged About 26 Years

All are by Caste And R/o Village Baridih, Police Station Urga, Tahsil
And District - Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Applicants**

Versus

State Of Chhattisgarh Through The District Magistrate Korba, District
- Korba Chhattisgarh., District : Korba, Chhattisgarh .

---- **Respondent**

For the Applicants	:	Shri G.R. Miri and Shri Basant Kaiwartya, Advocates
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**04/04/2019**

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 learned counsel for the State in connection with the Crime No.50/2019 registered at Police Station Urga, District Korba (C.G.) for the offence punishable under Sections 294, 323, 506, 341, 342 of IPC and Section 4 & 5 of Tonhi Pratadna Nivaran Act.
3. Case of the prosecution, in brief is that on 04/03/2019 at about 5 p.m., at village Baridih, applicants wrongfully restrained complainant Pushpa Kanwar, asked her that she is witch and has done the witchcraft on Ghanshyam Singh Kanwar, they abused her and threatened kill to her, they took her in their courtyard confined her, beat her by hands, fists and club.
4. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released

on bail.

5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
6. 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 furnish 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 they would cooperate during the trial, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde