

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2841 of 2019**

- Dalsai, S/o Heera Lal, aged about 30 years, Caste Gond, R/o Village Barpatiya, Tahsil Pratappur, District- Surajpur, Chhattisgarh.

**---- Applicant****Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Ramkola, District – Surajpur, Chhattisgarh.

**---- Respondent**

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| For Applicant        | : Ms. Neha Verma on behalf of Shri V.K. Pandey,<br>Advocates. |
| For Respondent/State | : Shri K.K. Dewangan, Dy. G.A.                                |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board****10/05/2019**

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 16/2018, registered at Police Station – Ramkola, District- Surajpur, (C.G.) for the offence punishable under Sections 294, 323, 506-b, 147, 148, 149 & 307 of the Indian Penal Code.
2. First bail application of the Applicant was dismissed for want of prosecution by this Court vide order dated 01.03.2019 passed in MCRC No. 1149/2019.
3. As per the prosecution story, on 25.08.2018 at about 8 AM, Complainant Ram Sundar Yadav was plugging the forest land and possessed by him, his relative and family members were also there in the field, allegedly, present Applicant and other co-accused persons

reached there and assaulted them, due to which they sustained injuries. On the basis of the above, offence has been registered. Applicant has been taken into custody on 22.09.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further states that there is nothing on record on the basis of which *prima facie*, offence under Section 307 can be made out against the present Applicant. He also submits that other co-accused persons namely Sukhram, Dakhal, Rajesh have already been granted bail vide order dated 22.11.2018 passed in MCRC No. 8379/2018 and other co-accused namely Manbodh, Ramjeet, Akhilesh, Sonsai, Jay Singh have also been granted bail by this Court vide order dated 22.11.2018 passed in MCRC No. 8414/2018. Present Applicant is in custody since 22.09.2018 and trial is likely to take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicant is in custody since 22.09.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.

8. Accordingly, the bail application is allowed.

9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**