

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3182 of 2019

1. Prakash Mishra, S/o Anil Mishra Aged About 24 Years R/o Village Mahloi, Police Station and Tahsil Pusour, District-Raigarh, Taluka Raigarh, District-Raigarh Chhattisgarh.
2. Brajesh Pradhan, S/o Bhagwatiya Pradhan, Aged About 24 Years, R/o Village-Mahloi, Police Station and Tahsil Pusour, District-Raigarh, Taluka Raigarh, District-Raigarh, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through, Police Station - Pusour, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sanjay Agrawal, Advocate.
For Respondent/State	:	Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/05/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.56/2016 registered at Police Station–Pusour, District–Raigarh(C.G.) for the offence punishable under Sections 147, 341, 353, 186, 294, 332, 297, 427, 34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. No case is made out against the applicants. The applicants are in jail since 29.4.2019. There is no requirement for their continued detention in jail, hence, it is prayed that applicants be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the applicants were the part of the mob that attacked the police personnels, therefore, they are not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case because of accidental death of two persons, a mob of villagers gathered on the road and created a blockade, demanding for compensation for the family of the deceased persons. When the police personnels came to maintain law & order then they were attached by the mob abused, manhandled, assaulted and injured by the persons in the mob. The applicants were the part of the same mob.
6. After considering the entire material present in the case diary, I feel inclined that applicants should be granted regular bail during the pendency of the trial against them.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge