

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3200 of 2019**

1. Salikram, S/o Banshilal, aged about 51 years.
2. Shivgopal S/o Salikram Aged About 25 Years.
3. Ramgopal S/o Salikram Aged About 29 Years

All are Caste - Kurmi, resident of Village Kuriyari, Police Station Shivrinarayan, Tahsil - Navagarh, District Janjgir Champa (CG)

---- Applicants

Versus

1. State Of Chhattisgarh Police Station Shivrinarayan, Through District Magistrate Janjgir, District Janjgir Champa (CG)

---- Respondent

MCRC No. 3205 of 2019

1. Ramkumar, S/o Salikram Aged About 30 Years
2. Smt. Badrika Bai W/o Salikram Aged About 48 Years

All are Caste- Kurmi, resident of Village Kuriyari, Police Station Shivrinarayan, Tahsil Navararh, District- Janjgir-Champa (CG)

---- Applicants

Versus

1. State Of Chhattisgarh Police Station Shivrinarayan, Through District Magistrate Janjgir, District Janjgir Champa (CG)

---- Respondent

For Applicants	:	Shri Vivek Singhal, Advocate
For Respondent	:	Shri Ravi Bhagat, Dy. Govt. Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order On Board**

24/5/2019

1. As above two bail applications arise out of same crime number, they are being disposed off by this common order.
2. This is first application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to both the applicants, who are in custody since 18.4.2019 in connection with Crime No.106/19 registered at Police Station Shivrinarayan, District Janjgir Champa (CG) for the offence punishable under Sections 147, 148, 294, 506, 323 of the Indian Penal Code and Section 4, 5 of Tonahi Pratadna Act.
3. As per the prosecution case, on 7.4.2019 the applicants have threatened,

abused and assaulted injured complainant on the ground that she had practised black magic and witchcraft on one Ramkumar as a result of which he sustained grievous injuries on various parts of his body.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in crime in question due to previous animosity. The offences with which applicants are charged with are triable by Magistrate 1st Class. Applicants are in custody since 18.4.2019 and they have no criminal antecedents. It is lastly submitted that the applicants are ready & willing to abide by all the conditions which may be imposed by this Court while granting bail to them and, therefore, they may be enlarged on regular bail.
5. On the other hand, learned State Counsel opposes the prayer for grant of bail.
6. Considering the facts and circumstances of the case, in particular the fact that applicant is in custody since 18.4.2019 and that they are not having any criminal antecedents, but without commenting anything on merits of case, I am inclined to release applicant on regular bail.
7. Accordingly, both the applications are allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety each in the like sum to the satisfaction of the trial Court concerned. They are directed to appear before the trial Court concerned on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge

roshan/-