

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3532 of 2019

1. Manharan S/o Shri Santram Yadav Aged About 22 Years R/o Village Kandabadi Police Station Lormi District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
2. Dilharan S/o Shri Santram Yadav Aged About 22 Years R/o Village Kandabadi Police Station Lormi District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through SHO Lormi District Mungeli Chhattisgarh.,
District : Mungeli, Chhattisgarh

---- Respondent

For Applicants	:	Shri Deepak Jain, Advocate on behalf of Shri Dheerendra Pandey, Advocate
For State	:	Shri Raghavendra Verma, Govt. Advocate

S.B. Hon'ble Mrs. Justice Rajani Dubey

Order On Board

27/05/2019

Heard.

1. The applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.130/2019 registered at Police Station- Lormi, District- Mungeli (CG) for the offence punishable under Sections 294, 506, 323, 34, 147, 148 IPC and Section 3 (1) द.घ SC/ST Act.
2. Case of the prosecution, in brief, is that the applicants, enraged with the act of releasing cattle in their agricultural field, hurled abuses and committed marpit with the complainant who belongs to scheduled caste category and thereby committed offence alleged.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case. The applicants have not committed any marpit with the complainant and in fact it is the complainant who was the aggressor party in the alleged incident. There is no evidence of committing marpit by the applicants. It is lastly submitted that as the applicants are in jail since 13.5.2019, therefore, they may be enlarged on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the material available in the case diary and further considering that the applicants are in jail since 13.5.2019, I am of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed, the applicants shall be released on bail, subject to following conditions:-

(i) That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required and the accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(ii) That, the accused/applicants shall not act in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge