

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 904 of 2019

1. Teekaram Jangde, S/o Sukhdeo Jangde, Aged About 38 Years, R/o Village-Bitkuli, Chowki Karhi Bazar, Police-Station- City Kotwali, Balodabazar, District- Balodabazar- Bhatapara, Chhattisgarh.
2. Hemant Kumar Jangde, S/o Sukhdeo Jangde, Aged About 37 Years R/o Village- Bitkuli, Chowki Karhi Bazar, Police-Station- City Kotwali, Balodabazar, District- Balodabazar- Bhatapara, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh, Through Police-Station- City Kotwali, Balodabazar, District- Balodabazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicants : Mr. Bharat Lal Dembra, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

21/06/2019

1. The applicants have preferred this bail application under Section 438 of Cr.P.C. apprehending their arrest in connection with Crime No.298/2019 registered at Police Station-City Kotwali, Balodabazar, District-Balodabazar, Bhatapara(C.G.), for the offence punishable under Sections 147, 148, 294, 323, 506-B, 458 of the Indian Penal Code.
2. Learned counsel for applicants submits that applicants are innocent and have been falsely implicated in this case. No case is made out against the applicant for commission of offence under Section 452 of IPC. Rest of the offences registered are bailable in nature which are

the main offences. Similarly placed co-accused persons have been granted anticipatory bail by the Court below, therefore, it is prayed that application be allowed.

3. Learned State Counsel opposes bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to FIR lodged, on the date of incident at about 9 pm in the night complainant Dhanoo Sirso, who is a Constable, reached his house. The applicant and others formed an unlawful assembly and in furtherance of common object, forcefully entered into house of complainant, abused, threatened and caused injuries to him. Hence, this case.
6. After considering the entire material present in the case diary, as it appears that all the main offences are bailable in nature, I am of this opinion that this is a fit case where applicants should be granted anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on their executing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;

- (ii) that the 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 them/their from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha