

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4710 of 2019

- Prabhawati Devi W/o Purvesh Yadav Aged About 25 Years R/o Palgi, Police Station Trukunda, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

MCRC No. 5077 of 2019

1. Bharat Yadav S/o Bachhu Yadav Aged About 62 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
2. Omkar Yadav S/o Bharat Yadav Aged About 30 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
3. Suba Yadav S/o Bachhu Yadav Aged About 38 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
4. Anand Yadav S/o Bharat Yadav Aged About 25 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
5. Raghuveer Yadav S/o Bachhu Yadav Aged About 35 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
6. Raghunath Yadav S/o Bachhu Yadav Aged About 33 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
7. Bajrang Yadav S/o Nandlal Yadav Aged About 33 Years R/o Palgi Police Station Trikunda, District Balrampur, Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj, District Balrampur- Ramanaujganj Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicants : Ms. Indira Tripathi, Advocate.
 For Non-applicant : Mr. Ravi Maheshwari, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

14.08.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 116/2019 registered at Police Station – Ramanujgnaj District Balrampur – Ramanujganj (C.G.) for the offence punishable under Sections 147, 148, 149, 323, 506, 294, 427, 452, 395 of the IPC.
4. Case of the prosecution, in brief is that on 28.06.2019 applicants Bharat Yadav, Omkar Yadav, Suba Yadav, Anand Yadav, Raghuveer Yadav and Raghunath Yadav having clubs reached to the house of the complainant Mangru Yadav. They abused him. Applicants Suba Yadav, Omkar Yadav and Bharat Yadav beat him, threatened to kill him. Rajmati Yadav intervened they abused her also and gave threats to kill her, beat her by clubs. From the back applicant Prabhawati Devi and other persons reached there, they also abused and threatened to kill. Applicants Prabhawati Devi , Omkar Yadav, Suba Yadav entered in the house of the complainant and looted Rs. 30,000/- and broken watch and table fan.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
7. Counsel for the applicants further submitted that they have earlier lodged the

report against the complainant party. The matter was pending for mediation. Thereafter, report was lodged against applicants.

8. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that he/she will not involve in such type of crime in future, he/she will appear before the concerned Court at 11:00 am as and when directed till trial and he/she would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE