

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5877 of 2019

- Kailash Ram Yadav & Anr. S/o Shubhnatho Ram Aged About 59 Years Caste Mahakul, R/o Village Godhikala, Tahsil And Police Station Patthalgaon, District Jashpur Chhattisgarh
- Rudra Kumar Yadav S/o Kailash Ram Yadav Aged About 30 Years Caste Mahakul, R/o Village Godhikala, Tahsil And Police Station Patthalgaon, District Jashpur Chhattisgarh,

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Patthalgaon, District Jashpur Chhattisgarh

---- Respondent

For Applicants	: Shri J.K.Saxena, Advocate
For Respondent /State	: Shri Anil Tripathi, PL
For Objector	: Shri Satish Gupta, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/11/2019

The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 180/2019 registered at police station Patthalgaon district Jashpur(CG) for the offence punishable under Sections 294,506(B),326 and 34 IPC.

As per case of the prosecution, complainant lodged a report alleging that on the date of incident, when he along with his neighbour went to inspect his land, at that time, the applicants came there abused and assaulted with hammer on his head and ran away from

the spot.

Counsels for the applicants submits that the applicants have been falsely implicated. It is further submitted that the offences alleged against the applicants are triable by the Magistrate; the applicants are in jail since 26.08.19 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 25,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge