

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6279 of 2019

- Bhagwat Yadav & Anr. S/o Shri Panchuram Yadav Aged About 22 Years R/o Rampur Para, Kapan, Police Station And Tahsil Janjgir, Chowki Naila, District Janjgir Champa, Chhattisgarh.
- Panchuram Yadav S/o Late Shri Maniram Yadav Aged About 50 Years R/o Rampur Para, Kapan, Police Station And Tahsil Janjgir, Chowki Naila, District Janjgir Champa, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through District Magistrate, District Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicants	:Shri Veerendra Verma, Advocate
For Respondent /State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

29/11/2019

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.274/2017 registered at police station Janjgir, district Janjgir-Champa (CG) for the offence punishable under Sections 294,323,506,326,302/34 IPC and Section 3(1)(R-s), 3(2)(vA) and 3(2)(v) o the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, on 20.05.2019, when deceased Shashikant and one Ubhram were roaming in the village Rampur Kapam, they saw the applicants standing outside their house , deceased asked them as to why they were standing. At this, the

applicants started assaulting the deceased with fists and club as a result of which he suffered injury on his head and fell on the ground.

Counsel for the applicants submits that the applicants have been falsely implicated in the crime. He submits that the applicants are in jail since 05.06.19 and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion and therefore they may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant No.2 Panchuram, I am inclined to release him on regular bail. Accordingly, application filed on his behalf under Section 439 of the Code of Criminal Procedure is allowed. It is directed that on furnishing a personal bond in the sum of Rs. 25,000/- with one surety in like sum to the satisfaction of the concerned court for his appearance as and when directed, the applicant shall be released on bail.

So far as the applicant No.1 is concerned, counsel for the applicants submits that he may be permitted to withdraw this application on his behalf.

Accordingly, the application filed on behalf of applicant No.1 is dismissed as withdrawn.

Sd/-
(Rajani Dubey)
Judge