

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6703 of 2019

1. Abdul Khan S/o Shri Guljar Khan Aged About 26 Years Resident Of Village Pandaripani, P.S. Bilaigarh, Distt. Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Amjad Khan S/o Shri Akbar Khan Aged About 33 Years Resident Of Village Pandaripani, P.S. Bilaigarh, Distt. Baloda Bazar - Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. Fareed Khan S/o Hafeej Khan Aged About 39 Years Resident Of Village Pandaripani, P.S. Bilaigarh, Distt. Baloda Bazar - Bhatapara Chhattisgarh.....(Applicants), District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Bilaigarh, Distt. - Baloda Bazar - Bhatapara Chhattisgarh....(Non Applicant), District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

 For Applicants : Shri Pragalbh Sharma, Advocate
 For Respondent/State : Shri Sameer Sharma, Dy. Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey
Order On Board

09.12.2019

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.50/2015 registered at Police Station - Bilaigarh, District Baloda Bazar(C.G.) for the offence punishable under Sections 147, 148, 427, 506, 294 323(15 times)/149, 307, 302/149 of the IPC.

2. It is the case of the prosecution that complainant Dharamlal Sahu lodged a report on 5.2.2015 that on account of some election dispute, the present applicants along with other co-accused persons came to his house and assaulted his family members with hands and fists and lathi in which one Fagu Sahu received grievous injuries and later on during treatment he died.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime and no specific role has been attributed to them. He further submits that the co-accused persons have already been enlarged on bail vide order dated 23.8.2019 passed in MCRC No.3724/2019 and order dated 6.12.2019 passed in MCRC No.6596/2019, therefore, the present applicants may also be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the co-accused persons have been enlarged on bail, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their

appearance before the said Court as and when directed till the disposal of the trial.

7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
JUDGE

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