

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 318 of 2020**

1. Gokul S/o Late Agahan Singh Aged About 54 Years Caste- Gond, Occupation- Government Teacher
2. Govardhan S/o Late Agahan Singh Aged About 52 Years Caste- Gond, Occupation- Former
3. Vijay S/o Shri Chain Singh Aged About 32 Years Caste- Gond,
4. Manoj Kumar S/o Shri Chain Singh Aged About 23 Years Caste- Gond,

All are Resident Of Village- Kachanda, Police Station- Nagarada, Tahsil- Sakti, Civil And Revenue District- Janjgir-Champa Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- The District Magistrate Janjgir, Civil And Revenue District- Janjgir-Champa Chhattisgarh

---- Respondent

For Applicants	Mr. Paras Mani Shriwas, Advocate
For Respondent/State	Mr. Vikram Sharma, Dy. GA

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****25/6/2020**

1. Heard.

2. This bail application filed under Section 438 of the Code of Criminal Procedure (in short "the Cr.P.C.") so far as it relates to applicant No.3 Vijay has been rendered infructuous, as he has been arrested during pendency of this application.
3. Accordingly, the bail application in respect of applicant No.3 Vijay is dismissed as infructuous.
4. This application filed under Section 438 of Cr.P.C. is now considered on behalf of applicant No. 1 Gokul, applicant No.2 Govardhan and applicant No.4 Manoj Kumar for grant of anticipatory bail, who are apprehending their arrest in connection with Crime No.9/2020, registered at Police Station Nagarada, District Janjgir-Champa (CG) for the offence punishable under Sections 147, 341, 294, 506, 307 & 323 of IPC.
5. The applicants have allegedly assaulted the complainant and her husband, when they were going from village Nagarada to Kachanda on a motorcycle. The dispute appears to have its genesis in the Panchayat Election.
6. Admittedly, the injured did not suffer any serious internal injury and in the beginning, the injuries were reported to be simple. In the CT Scan report, no abnormality was found over the skull.
7. Considering the entire facts situation of the case, this Court is of the opinion that the present is a fit case, in which, applicant No.1 Gokul, applicant No.2 Govardhan and applicant No.4 Manoj Kumar should be extended the benefit of Section 438 of Cr.P.C.

8. Accordingly, the application is allowed and it is directed that in the event of arrest of applicant No.1 Gokul, applicant No.2 Govardhan and applicant No.4 Manoj Kumar, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Arresting Officer with the following conditions :-

- (i) they shall make themselves available for interrogation by a Police Officer as and when required;
- (ii) they 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 him for disclosing such facts to the Court or to any Police Officer.

9. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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