

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2318 of 2020

1. Samaru Ram S/o Dokri Dhanuhar Aged About 67 Years R/o Village Chandapara Police Station Kota District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Itwara W/o Somaru Ram Dhanuhar Aged About 63 Years R/o Village Chandapara Police Station Kota District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Kota, Civil And Revenue District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicants	:	Shri KPS Gandhi, Advocate
For State	:	Shri Ghanshyam Patel, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/04/2020

Heard.

1. The applicants have been arrested in connection with Crime No.161 of 2020 registered at Police Station- Kota, District- Bilaspur (CG), for alleged commission of offence under Sections 186, 353, 333, 294, 427, 147 IPC.
2. It is alleged, according to prosecution, that the applicants obstructed Govt. servants in discharge of their duties when they reached the spot upon receipt of information regarding illicit preparation of liquor.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the alleged commission of offence. The applicants are aged persons of 67 and 63 years of age. They are not involved in the incident. Along with many other persons, who may have assaulted, they have been included as they are the relatives. It is also submitted that at this

stage, applicants are pressing bail because looking to their age, they are at high risk of being infected.

4. On the other hand, learned counsel for the State opposed the application. He submits that the applicants are also involved in the alleged act of obstructing police officials and also opening assault. He also submits that police official have also sustained injury in the incident.
5. Looking to the nature of injury and further taking into consideration that the applicants claim that they are not involved with others and particularly taking into consideration that the applicants are aged persons of 67 and 63 years of age, for this special reason, I am inclined to allow the application.
6. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court, with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
7. This bail is being granted on the condition that if the applicants are again found involved in commission of similar offence, the State would be at liberty to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge