

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4790 of 2020**

1. Jivan Lal, S/o Muktawan Satnami, Aged About 37 Years
2. Harbansh Kumar, S/o. Chandra Ram Dhritlahre, Aged about 41 years
3. Ajay Kumar, S/o.Dwarika Prasad Dhritlahre, Aged about 25 years
4. Bhuvneshwar, S/o. Dulari Dhritlahre, Aged 37 years
5. Rajkumar, S/o. Muktawan Dahariya, Age 31 years
6. Bhagchand S/o. Dulari Dhritlahre, Aged 32 years
7. Panna S/o. Manharan Dahariya, Aged 26 years
8. Shyamlal S/o. Soupat Dhritlahare, Aged 50 years
9. Manharan, S/o. Punau Dahariya, Aged 50 years

All are r/o Village Juda Chowki-Lawan, Police Station Kasdol, district Baloda Bazar-Bhatapara Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh

**----- Respondent**

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| For Applicants       | : Shri Hemant Gupta, Advocate |
| For Respondent/State | : Ms. Sunita Jain, GA         |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order on Board**

**01/09/2020**

The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.326/2020 registered at Police Station – Kasdol, District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Sections 147,148, 149,294,506-B,452 and 436 of the IPC.

It is the case of the prosecution that the complainant lodged a report against the applicant the applicants along with other co-accused persons had set off his house on fire.

Counsel for the applicants submits that he may be permitted to withdraw the application on behalf of applicants No. 5,8 and 9 as they have already been granted bail by this Court vide order dated 25.08.2020 in M.Cr.C. No. 4478/2020.

Accordingly, the application filed on their behalf is dismissed as withdrawn.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that there was a case and counter case against both the parties. He submits that the parties have entered into compromise and they have settled their dispute. He submits that similarly placed co-accused have been granted bail by this Court in M.Cr.C. No. 4478/2020 vide order dated 25.08.2020 and therefore, the present applicants may also be granted the benefit. Lastly, he submits that the applicants are in jail since 21.05.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, 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 applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants' furnishing a

personal bond in the sum of Rs. 25,000/- with one surety each for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

Sd/-  
(Rajani Dubey)  
Judge

suguna