

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6868 of 2020**

- Manglin Bai W/o Madanlal, aged about 62 years, R/o Village Pisoud, Police of Police Station Janjgir, District Janjgir-Champa, Chhattisgarh.

-----Applicant**Versus**

- State of Chhattisgarh Through District Magistrate, Police of Police Station Janjgir-Champa, Chhattisgarh

---- Non-applicant**WITH****MCRC No. 8677 of 2020**

1. Manoj Kumar Suryavanshi S/o Madan Lal suryavashi, aged about 26 years
2. Chand Ram Suryavanshi S/o Madan Lal Suryavashi, aged about 41 years,
Both R/o Village Pisaud, P.S. Janjgir, District Janjgir-Champa C.G.

-----Applicants**VERSUS**

- State of Chhattisgarh through SHO, Janjgir, Dist. Janjgir-Champa C.G.

-----Non-applicant

For Applicant(s)	:	Mr. Ravindra Sharma, Advocate
For Non-applicant	:	Mr. Siddharth Dubey, Dy.Govt. Advocate.

Hon'ble Mr. Justice Parth Prateem Sahu**ORDER****14/12/2020**

1. Since the above Bail applications arise out of the same crime number, they are being disposed of by this common order.

2. MCRC No. 6868 of 2020 has been preferred by applicant Manglin Bai for grant of regular bail as she has been arrested in connection with Crime No.356/2020 registered at Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 341, 307 r/w 34 of IPC.
3. MCRC No. 8677 of 2020 has been preferred by applicants Manoj Kumar Suryavanshi and Chand Ram Suryavanshi for grant of regular bail as they have been arrested in connection with Crime No.356/2020 registered at Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 323, 341, 307 r/w 34 of IPC.
4. Case of the prosecution is that on 17.08.2020 at about 09:00 am when Ravi Kumar was going on his motor cycle, present applicants have obstructed his way, abused him and thereafter caused injuries to him by means of spade and club. Looking to the dispute and quarrel between Ravi Kumar and applicants, father of Ravi Kumar who was returning from a pond, tried to intervene who also suffered injuries over his person.
5. Mr. Ravindra Sharma, learned counsel for the applicants submits that as per the case of prosecution itself the dispute took place due to objectionable act of the complainant Ravi Kumar. He further submits that the injuries suffered by the complainant and his father Lakhanlal are simple in nature, applicants have not committed any offence of the nature as alleged against them. He also contended that the allegation levelled against the applicants is false and frivolous, to

which, Manglin Bai who is mother of applicant Manoj Kumar has also been implicated in the offence.

6. Opposing the submission made by learned counsel for the applicants Mr. Siddharth Dubey, learned Deputy Government Advocate submits that as per the allegation, applicants have obstructed the way of complainant Ravi Kumar and after abusing him in filthy language started assaulting him in which complainant Ravi Kumar and his father Lakhanlal suffered multiple injury over their person.
7. I have heard learned counsel for the respective parties.
8. Taking into consideration the nature of allegation and the cause of dispute as stated by Kartikram in his statement under Section 161 of CrPC and further taking into consideration that though some injury has been suffered by both the applicants on their head but there is no bone injury and the doctor has opined the injury suffered by complainant Ravi Kumar and Lakhanlal to be simple in nature; also the pre-trial detention of the present applicants, I am inclined to enlarge the applicants on Bail.
9. Accordingly, the bail applications are allowed. It is directed that the applicants be released on regular bail, upon furnishing a bail bond in the sum of Rs.10,000/- each one with one surety in the like sum to the satisfaction of the Court on the conditions that-
 - a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicants shall not, in any manner, tamper with the prosecution witnesses.

c) If the applicants are found involved in similar offence in the future, it will be open for the State to apply for cancellation of Bail.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
Judge

Pawan