

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7127 of 2019

1. Dharmendra Sinha S/o. Shri Mahesh Sinha Aged About 34 Years R/o. Schoolpara, Chucharungpur, Thana- Charama, District- North Bastar Kanker, Chhattisgarh
2. Kapil Komaro S/o. Late Shri Premlal Komaro Aged About 52 Years By Caste- Gond, Chucharungpur, Thana- Charama, District- North Baster Kanker, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Charama, Civil And Revenue District North Bastar Kanker, Chhattisgarh

---- Respondent

For Applicants	: Shri Sunil Sahu, Advocate
For Respondent/State	: Smt. Reena singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order on Board

06/01/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.130/2019 registered at police station Charama, District North Bastar, Kanker (CG) for the offence punishable under Sections 147,294,323,506-B, 323,307 IPC and Secftions 3(1)(r), 3(1)(s) and 3 (2)(Va) of the SC/ST (Prevention of Atrocities Act).

Case of the prosecution in brief is that report was lodged by the complainant alleging that he was in possession of the land since 40

years and on the date of incident the applicants along with other villagers were digging in his field for constructing bund and when he objected, they abused and threatened to kill him and his son.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He further submits that the applicants are in jail since 14.10.2019; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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 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