

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 137 of 2021**

1. Mahesh Singh S/o Lalji Singh Aged About 26 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh
2. Awadhesh Singh S/o Lalji Singh Aged About 30 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh
3. Suryadev Singh S/o Lalji Singh Aged About 47 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh
4. Brahmdev Singh S/o Lalji Singh Aged About 40 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh
5. Mandeep Singh S/o Surajdev Singh Aged About 22 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh
6. Manoj Singh S/o Surajdev Singh Aged About 20 Years R/o Gahmariya, Police Outpost Vijaynagar, Police Station Ramanujganj, Tehsil And District Balrampur-Ramanujganj Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Outpost Vijaynagar, Police Station Ramanujganj, District Balrampur-Ramanujganj Chhattisgarh

---- Respondent

For Applicants	: Shri Awadh Tripathi, Advocate
For Respondent/State	: Shri Samir Uraon, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/04/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No. 108/2020 registered at Police Chowky Vijay Nagar, Police Station Ramanujganj, district Balrampur-Ramanujganj (CG) for the offence punishable under Sections 147,148,294,323,326,307 and 506 of the IPC.

Case of the prosecution in brief is that on the date of incident, when the complainant party was working in their agricultural field, the applicants came there and some altercation took place between them as a result of which both the parties assaulted each other with clubs and axe. It is alleged that both the parties sustained injuries and suffered fractures.

Contention of the counsel for the applicants is that the applicants have been falsely implicated in the present case. He submits that after granting bail by the court below, offence under Sections 326 and 307 has been added. He further submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore they may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality

of the facts, in particular, the nature of allegations against the applicants, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants' in connection with the aforesaid offence, they shall be released on bail on their executing a personal bond in sum of Rs. 25,000/- each with one surety to the satisfaction of the trial Court. The applicants shall also abide by the following conditions :

(i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and when required,

(ii) that 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 them from disclosing such facts to the Court or any police officer;

(iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iiv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge