

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 653 of 2021

1. Ranglal Son Of Rohidas, Aged About 25 Years, Caste Satnami, Resident Of Village Bhadra, Police Station Kosir, Tahsil Sarangarh, District Raigarh (C.G.).
2. Gorelal Son Of Rohidas, Aged About 38 Years, Caste Satnami, Resident Of Village Bhadra, Police Station Kosir, Tahsil Sarangarh, District- Raigarh (C.G.).

----Applicants

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Kosir, District Raigarh (C.G.).

---- Non-Applicant

For Applicants	: Mr. Raghavendra Pradhan, Advocate.
For Non-Applicant/State	: Mr. V.K. Agrawal, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya
Order On Board

23/03/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicants for grant of bail as Ranglal & Gorelal are in custody since 31/12/2020 & 05/01/2021 respectively in connection with Crime No. 260/2020 registered at Police Station Kosir, District Raigarh (C.G.) for the offence under Sections 294, 506, 323, 34, 307 of IPC.
- 2) Case of the prosecution, in brief is that on 16/11/2020 at 05 PM there was dispute between the complainant and the applicants over accumulation of water in front of house of the applicants. During this process, the applicant Gorelal beat the complainant with hands and fists whereas the applicant Ranglal assaulted the elder brother of the complainant namely Kunjram Yadav with spade on his head. On report being lodged to the above effect, the aforesaid offence has been registered against the applicants.

- 3) Learned counsel for the applicants submit that the applicants are innocent persons and have been falsely implicated in this case. He submits that the applicants are in jail, charge sheet has been filed, applicants have no criminal antecedents and conclusion of the trial is likely to take some time. Therefore, the applicants be released on bail.
- 4) On the other hand, learned counsel for the respondent/State opposes the bail application. However, he submits that the applicants have no criminal antecedents.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the fact that victim Kunjram Yadav sustained fracture of outer table of left high parietal bone, he was admitted in Hospital on 16/11/2020 and discharged on 23/11/2020, the detention period of the applicants who are 25 & 38 years old, charge sheet has already been filed, there is no apprehension of their absconding or tampering with the evidence as admitted by the counsel for the parties and the trial is likely to take some time for disposal, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicants. Accordingly, the application is **allowed**. It is directed that in the event of **each** of the applicants executing a personal **bond** for a sum of **Rs. 50,000/-** with two sureties of Rs. 25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - i. 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 him from disclosing such fact to the Court,
 - ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and

- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall not involve themselves in any offence of similar nature in future.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant