

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6326 of 2020

1. Jitendra Ram S/o Sastu Ram Aged About 28 Years,
2. Rohit Das S/o Dileshwar Das Aged About 28 Years,

Both R/o Village- Dodka Chaura, Thana- Jashpur, Tehsil And Distt.- Jashpur,
Chhattisgarh

---Applicants

Versus

State of Chhattisgarh through Police Station- Jashpur, Distt. Jashpur,
Chhattisgarh

--- Respondent

For the applicant	:	Mrs. Sharmila Singhai, Advocate.
For the State	:	Shri Gagan Tiwari, Dy.G.A.
For the Objector	:	Mr. Hemant Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19/01/2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No.144/2020 registered at Police Station Jashpur, Distt. Jashpur (C.G) for the offences punishable under sections 307, 120 B/34 of IPC.
2. As per the prosecution case, there was a land dispute between complainant Dashrath Prasad Jaiswal and the applicants. It is alleged that on 14.07.2020 while Dashrath Prasad Jaiswal was on his morning walk at 4 a.m., the applicants along-with Ramkumar assaulted him with hands and fists.
3. Learned counsel for the applicants would submit that the name of applicants came according to the statement of the victim, the main dispute of the land was with Ram Kumar and the name of applicants

came for the first time in the memorandum of Ramkumar and initially the name of the applicants were not mentioned in the FIR. Therefore, the applicants have been falsely implicated.

4. On the other hand, learned State Counsel as also learned counsel for the objector oppose the bail application.
5. Perused the case diary. The statement of the Dashrath Prasad is read out. Further it is pointed out that against applicant No.1 Jitendra Ram, in addition to the present case, 5 other criminal cases stand registered against him. Considering the antecedents of the Jitendra Ram and the nature of criminal cases stand registered against him, I am not inclined to allow bail application of **applicant No.1 Jitendra Ram**.
6. Accordingly, the bail application in respect of **applicant No.1 Jitendra Ram** is rejected.
7. Perused the statement of Dashrath Prasad and the medical report. Considering the same and the fact that no criminal antecedents are reported against the applicant No.2 Rohit Das, I am inclined to release **applicant No.2 Rohit Das** on bail.
8. Accordingly, the bail application in respect of **applicant No.2 Rohit Das** is allowed and it is directed that the **applicant No.2 Rohit Das** shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)
Judge