

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7399 of 2021**

1. Balroop Yadav S/o Late Ramvriksh Yadav Aged About 65 Years
 2. Jaigovind Yadav S/o Late Ramvriksh Yadav Aged About 50 Years
 3. Upendra Yadav S/o Late Nandlal Yadav Aged About 20 Years
 4. Manoj Yadav S/o Dayashankar Yadav Aged About 23 Years
- All R/o Village Nilkanthpur, P. S. Ramchandrapur, District Balrampur-Ramanujganj Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ramchandrapur, District Balrampur-Ramanujganj Chhattisgarh

---- Non Applicant

For Applicants : Shri A. K. Prasad, Advocate

For Non Applicant : Smt. Smita Jha, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas**Order On Board****25.10.2021**

1. The applicants have preferred the first bail application under Section 439 of CrPC for grant of regular bail as they are in jail since 29.07.2021 & 06.08.2021 in connection with Crime No.39/2021 registered at Police Station- Ramchandrapur, District- Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 147, 148, 149, 294, 506(II), 323, 324, 307 read with Section 34 of IPC.
2. The case of prosecution in brief, is that, the complainant Naresh Yadav has lodged FIR on 14.07.2021 in police station against applicants alleging that when he was ploughing his field at about 6.00AM, at the same time, the accused persons came there, threatened and assaulted him and his parents by lathis, thereby they committed the aforesaid offence.
3. Learned counsel for the applicants would submit that applicants have been falsely implicated in this case and they have not committed any offence. He would further submit that evidence collected by prosecution is also not prima facie sufficient to hold the applicants guilty of the said offence, even the medical report shows that no serious injury has been found on the body of the complainant. He would further submit that applicants are in jail since 29.07.2021 & 06.08.2021, charge sheet has been filed and conclusion of the trial likely to take some time, therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, nature of injuries sustained by the complainant and the fact that applicants are in jail since 29.07.2021 & 06.08.2021, there is no likelihood of the applicants tampering with evidence or absconding and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to applicants.
7. Accordingly, the bail application filed by applicants is allowed and it is directed that applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.50,000/- with two solvent sureties of Rs.25,000/-each for the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial Court on each and every date given by the said trial Court, till disposal of the trial.
8. It is made clear that applicants shall not involve themselves in any offence of similar nature in future, otherwise bail granted to them shall be liable to be cancelled without further reference to the bench.
9. Certified copy as per rules.

Sd/-
(Narendra Kumar Vyas)
Judge

Parul