

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8581 of 2020**

1. Ramdev Yadav S/o Kailash Yadav Aged About 72 Years Caste Ahir, R/o Lamdarha, Police Station Bagicha , District Jashpur Chhattisgarh
2. Vishvanath Yadav S/o Ramdev Yadav Aged About 34 Years Caste Ahir, R/o Lamdarha, Police Station Bagicha, District Jashpur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Bagicha, District Jashpur Chhattisgarh

---- Respondent

For Applicants	Mr. Sanjeev Kumar Sahu, Advocate
For Respondent/State	Mr. Ravish Verma, Government Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****24/2/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.64/2020 registered at Police Station Bagicha, District Jashpur (CG) for the offence punishable under Sections 307, 34 of the IPC.
3. The prosecution case is that the applicants along with

Jagnarayan Yadav, S/o applicant No.1 Ramdev Yadav, arrived at the place of incident to assault the victims (5 in number) for the reason that these two applicants had undergone jail sentence on the allegation of committing murder of the husband of injured Sumitra and as soon as the applicants were released after serving the sentence, they along with Jagnarayan Yadav had reached the agricultural field with an intention to cause death of Sumitra and other members of her family.

4. Admittedly, the bail application of co-accused Jagnarayan Yadav has already been dismissed by a Coordinate Bench of this Court vide order dated 16.10.2020 passed in MCRC No.5259/2020.
5. The applicant's counsel would press the application for grant of bail to applicant No.1 Ramdev Yadav only on the ground of he being an elderly person, aged about 72 years.
6. Per contra, Mr. Ravish Verma, learned Government Advocate for the State would submit that considering the allegations and the order passed in MCRC No.5259/2020, both the applicants are not entitled to be released on bail.
7. Considering that applicant No.1 Ramdev Yadav is aged about 72 years, I am inclined to release him on bail despite the order passed in MCRC No.5259/2020 only on the ground that he is aged about 72 years.
8. Accordingly, the bail application filed on behalf of **applicant**

No.1 Ramdev Yadav is **allowed** and he is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

9. **Applicant No.2 Vishvanath Yadav** is a young man, aged about 34 years and his case is similar to co-accused Jagnarayan Yadav and they are also of the same age group, therefore, his bail application is **dismissed**.

10. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge