

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7952 of 2021**

1. Santlal Bhoi, S/o Rameshwar, aged about 60 years,
2. Tulasingh Rai, S/o Maheshram, aged about 65 years,

Both are R/o Village Santpali, Police Station Saraipali, District Mahasamund (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through the Station House Officer, Police Station Saraipali, District Mahasamund (CG)

---- Non-Applicant

For Applicant	: Shri Vivek Shrivastava, Advocate.
For Non-Applicant	: Shri Ishwar Jaiswal, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J

Order On Board

28/10/2021 :

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.255/2021 registered in Police Station Saraipali, District Mahasamund for offence under Section 302/34 of the IPC.
2. Case of the prosecution, in brief, is that on 25.6.2021 at 3 pm the accused persons were standing in front of the house of the deceased and the deceased asked the accused Santlal, nowadays he is roaming with Tulasingh, on which the accused persons became annoyed and started beating the deceased with hands, fists and stone. The deceased

Thandaram received grievous injuries. He was hospitalized at Dr. Agrawal Nursing Home, Basna from where he was referred to higher medical centre at Raipur, but the family members of the deceased did not take him and he succumbed to the injuries on 1.7.2021.

3. Learned counsel for the applicant submits that the applicants are innocent persons and have been falsely implicated in the case. The applicant have not committed any offence. The applicants are in jail since 2.7.2021.
4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case, particularly the fact that the incident took place on 25.6.2021, the deceased was referred to Raipur for better medical treatment, however, he was not taken to Raipur, the deceased died on 1.7.2021, the incident happened all of a sudden, the applicants are aged about 60 years & 65 years respectively, therefore, considering all the relevant aspect of the matter, this Court is inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Deepak Kumar Tiwari)
Judge