

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8673 of 2020

1. Seuk Mandley S/o Shri Pyari Mandley Aged About 58 Years Resident Of Village Gogiya Balodabazar, Bhatapara Village District Baloda Bazar Bhatapara Chhattisgarh.
2. Rahas Mahilang S/o Tirir Ram Aged About 35 Years Resident Of Village Gogiya Balodabazar, Bhatapara Village District Baloda Bazar Bhatapara Chhattisgarh.
3. Vijay Mahilang S/o Sunkar Aged About 37 Years Resident Of Village Gogiya Balodabazar, Bhatapara Village District Baloda Bazar Bhatapara Chhattisgarh.
4. Bhupendra Mahilang S/o Shri Subedas Aged About 21 Years Resident Of Village Gogiya Balodabazar, Bhatapara Village District Baloda Bazar Bhatapara Chhattisgarh.

---- Applicants

Versus

1. State of Chhattisgarh Through Station House Officer Police Station Bhatapara (Village) Balodabazar Bhatapara Chhattisgarh.

---- Respondent

MCRC No. 8680 of 2020

1. Badri Mahilang S/o Shri Ganga Prasad, Aged About 30 Years R/o Village Gogiya Balodabazar, Bhatapara Village, District Balodabazar - Bhatapara, Chhattisgarh
2. Gulab Mahilang, S/o Shankar Mahilang, Aged About 22 Years R/o Village Gogiya Balodabazar, Bhatapara Village, District Balodabazar - Bhatapara, Chhattisgarh.
3. Ramesh Mahilang, S/o Shankar Mahilang, Aged About 35 Years R/o Village Gogiya Balodabazar, Bhatapara Village, District Balodabazar - Bhatapara, Chhattisgarh.
4. Ramayan Mahilang, S/o Negi Mahilang, Aged About 40 Years R/o

Village Gogiya Balodabazar, Bhatapara Village, District Balodabazar -
Bhatapara, Chhattisgarh.

---- Applicants

Versus

1. State of Chhattisgarh Through - Station House Officer, Police Station
Bhatapara (Village), Balodabazar - Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	-	Shri Umakant Singh Chandel, Advocate.
For Respondent	-	Shri Anmol Sharma, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishar
Order On Board

05/03/2021

1. Heard.
2. The applicants have preferred these bail applications under
Section 439 of the Cr.P.C., as they are arrested in connection
with Crime No.444/2020, registered at Police Station
Bhatapara Village, District Balodabazar-Bhatapara (C.G.) for
the offence punishable under Sections 147, 148, 294, 307,
506(B) of the Indian Penal Code.
3. Eight accused persons formed unlawful assembly and
assaulted deceased Srikant Gendley who sustained grievous
injuries and became unconscious. Immediately after the
incident, he was found COVID-19 positive and eventually died
on 26-10-2020 in course of treatment.
4. There are three eye witnesses namely Sita Mahilang, Brijlal
Diwakar and Kanhaiya Diwakar who have witnessed the
incident.

5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the statement of eye witnesses, I am not inclined to release the applicants on bail at this stage.
7. Accordingly, the bail applications are dismissed reserving liberty in favour of the applicants to move again after examination of the eye witnesses.

SD/-

(Prashant Kumar Mishra)
Judge

Amardeep