

Dabbu Das And Ors Vs State Of Chhattisgarh

Court: Chhattisgarh High Court

Date of Decision: July 30, 2018

Acts Referred: Indian Penal Code, 1860 " Section 147, 148, 323, 427, 452, 506
Code Of Criminal Procedure, 1973 " Section 439

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: PK Tulsyan, SRJ Jaiswal

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection

with Crime No.131/2018 registered at Police Station Torwa, District Bilaspur (CG) for the offence punishable under Sections 147, 148, 323, 427, 452

and 506-B IPC.

2. As per the prosecution case, a report was made by Ram @ Ram Prasad on 08.04.2018 that the applicants along with the others were abusing him

after consuming liquor, having objected to the same, they entered into a scuffle for which a report was made. Subsequently, on the next date i.e. on

09.04.2018 again on 8.15 pm the applicants came along with the other persons and pressurized him to take back the report and thereafter assaulted

the complainant by forcefully entering into the house.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated over a dispute and except Section 452 IPC all the

offences are bailable. He further submits that the co-accused have been enlarged on bail by this Court in M.Cr.C. Nos. 3143, 4290 & 4654 of 2018 on

10.07.2018 and the case of the present applicants is similar to that of the co-accused, therefore, the applicants may also be released on bail.

4. Learned State counsel do not dispute the fact that the similarly placed co-accused have been enlarged on bail by this Court.

5. Considering the fact that the similarly placed co-accused have been enlarged on bail by this Court, I am inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum

of Rs.25,000/- with one surety in the like sum 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.