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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7664 of 2017**

1. Lakhan Deewan S/o Sukalu Ram Deewan, aged about 52 years,
 2. Lekhram Deewan, S/o Pancham Deewan, aged about 22 years,
- Both are R/o village Tilaidadar, Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7592 Of 2017**

Mohan Deewan, S/o Hariram Deewan, aged about 36 years, R/o village Tilaidadar, Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7889 Of 2017**

1. Kuleshwar Deewan S/o Banshilal Deewan, aged about 25 years,
 2. Jageshwar Deewan, S/o Nunkaran Deewan, aged about 24 years,
- Both are R/o village Tilaidadar, Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Applicants**Vs**

State Of Chhattisgarh Through Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent**And**

M.Cr.C. No. 7583 Of 2017

1. Jeevan Deewan S/o Dogar Deewan, aged about 45 years,
2. Bhanupratap Deewan, S/o Jeevan Deewan, aged about 24 years,
3. Kuber Deewan, S/o Jeevan Deewan, aged about 26 years,

Both are R/o village Tilaidadar, Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Applicants

Vs

State Of Chhattisgarh Through Police Station Tendukona, District Mahasamund, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Manoj Paranjpe, Advocate.
For the Respondent/State	:	Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

31.01.2018

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.114 of 2017, registered at Police Station – Tendukona, District – Mahasamund, Chhattisgarh for the offence punishable under Sections 147, 186, 294, 332, 342 and 353 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in these cases. The applicants are simple villagers and were participating in the ceremony of Goura Chora which is celebrated after Diwali festival. No case is made out against the applicants in these

cases. Similarly, the co-accused persons in these cases have been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 7218 of 2017 dated 13.12.2017 and the applicants also have a similar case. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. On the date of incident, the police personnel of P.S. Tendukona, District Mahasamund raided village - Tilaidadar to take action against the persons gambling. When the police personnel reached there, the applicants and other co-accused persons assaulted the police personnel and snatched the amount seized by them alongwith the articles and also assaulted them. Thereafter, the FIR was lodged.

6. Considering the submissions made and the contents of the case diary and also taking into consideration the fact that the offence is triable by the Judicial Magistrate First Class and the applicants are local resident of District Mahasamund, I am of the considered view that no purpose would be served if the applicants are kept in detention for the whole period of trial. Hence, these applications deserve to be allowed.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge